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inundated with the prior concept they tend not to stop and examine the evidence for themselves.

In addition, the big names in this field stand by the prior concept. These scientists tend to receive the most funds and are revered by journals and scientific organizations, so they are able to exert enormous influence over the rest of the field, Manuelidis said.

One problem with pinpointing prions as the cause of TSEs is it is very difficult to isolate them. Laboratory preparations also contain other things, which could include unidentified bacteria or viruses. Therefore, even if the sample appears to infect animals and cause the disease, it is impossible to be sure prions are the cause, not other substances found in the preparation.

Manuelidis said she thinks current evidence suggests a virus as the culpable agent. She has shown sterilization procedures that should kill viruses can reduce infectivity of prion-containing preparations by 99.9 percent. Yet the prions, which are very resistant to sterilization techniques, are not damaged. This indicates the causative agent is an as-yet-unidentified virus, she explained.

This view is shared by the NIH researcher who noted that by itself an abnormal prion does not appear to be infectious or cause disease.

"So something is missing and one possibility is that what's missing is a virus," the NIH researcher said.

One plausible mechanism is the virus interacts with normal prions and causes them to assume an abnormal shape, which is how TSE diseases damage brain cells.

The virus theory would help explain why only certain individuals become ill with these diseases. Not all mice with mutated prions fall ill. It also could be having abnormal prions makes people vulnerable to infection with the virus, the NIH scientist speculated.

Manuelidis and the NIH researcher conceded, however, efforts to develop treatments based on prions might not be entirely futile because the abnormally folded proteins appear to play some role in the diseases. Safar pointed out antibodies and other agents that block prions have had some success in stopping the progression of TSEs.

That also means the prion-based diagnostic tests being developed also might be useful because detecting misfolded prions does indicate the presence of the diseases. Still, if they are caused by a virus or bacteria, being able to find the infectious organism would enable faster detection of the diseases and, if a treatment is developed, initiation of medication before the brain is damaged.

Manuelidis is developing a test that can detect the

because if the disease is not detected until advanced stages, it is too late to prevent or reverse the brain destruction, he said.

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One alternative idea that has received NINDS funding is a small project by Bastian. He has uncovered evidence a bacteria could play a role in causing TSEs. The grant is only \$185,000, however, a far cry from the millions heaped upon researchers focusing on the prion concept.

Yet Bastian has made progress. He presented research at the American Association of Neuropathology meeting in Orlando in June showing DNA from a type of bacteria carried by many insect species -- spirilplasma -- can be found in brains of people with CJD and in sheep brains infected with scrapie. The bacteria cannot be found in normal, healthy brains.

The bacteria, found in ticks and mosquitoes, also have been shown to cause a type of spongiform disease in rats and mice, Bastian said.

"There's really clear evidence that there's an association of the bacteria with this disease," he said.

He said he suspects the bacteria could cause prions to mutate and fold abnormally, and this could cause the brain destruction.

To Bastian, the idea that bacteria carried by insects cause these diseases fits with what currently is known about how they are transmitted. One unexplainable phenomenon about scrapie in sheep is the animals can catch the disease without having contact with infected individuals. To explain this, some researchers have proposed the disease can arise spontaneously. However, sheep in New Zealand display no evidence of the disease -- yet they should have experienced at least a few cases if it arises spontaneously.

If TSEs are transmitted by insects, Bastian explained, and if the insects in New Zealand do not carry the bacteria, this would explain why sheep in that island country are free of the disease. The insect/bacteria hypothesis also fits with the pattern of bouts of chronic wasting disease seen in deer and elk in the midwestern and western United States. Animal researchers there have been baffled by the disease, which appears to jump from herd to herd even though the animals do not come into contact with one another.

Bastian hopes to develop a screening test for scrapie, human CJD and chronic wasting disease in the next few months based on the spirilplasma bacteria. If his theory is correct, and the test works, he said it would go a long way toward detecting those infected and perhaps help elucidate

BAITING FOR BIG GAME

Editor's note: This is the third installment of what we hope to include as a regular feature in North Dakota OUTDOORS - a column that offers insight into current issues or events that affect the state's natural resources or associated recreation. The Game and Fish Department deals with such issues on a regular basis, and receives sincere, passionate input from both Sides. OUTDOORS presents those points of view and opinions as a way to give readers a broad perspective.

Hunters and game management agencies have long debated the practice of baiting as a technique to attract animals for hunting purposes. The use of bait, whether it's carrion to attract furbearers to a trap, doughnuts to attract bears to an opening in the forest, or garden produce or grain piles to lure deer or elk close to a tree stand, is a traditional hunting practice in some states, while it's not allowed in others.

All across North America, baiting of waterfowl and other migratory birds is illegal, and has been since the early 1900s. This is a federal law in the United States, while states have discretion on whether to allow baiting of resident animals. In North Dakota, baiting is legal for hunting other species besides migratory birds, except on national wildlife refuges and other U.S. Fish and Wildlife Service lands.

But that might change. The North Dakota Game and Fish Department has assigned an internal work group to look at the issues mentioned here, and is developing plans to prohibit baiting on all state wildlife management areas starting this fall. Department representatives also solicited preliminary input on baiting at spring 2003 Game and Fish Advisory Board meetings, and this topic will likely be part of the agenda at fall 2003 meetings as well. Department officials hope to get a better understanding of how many people actually practice baiting, and some of the potential risks posed by baiting.

For this discussion, it is important to distinguish between "baiting" and "feeding." Baiting is a deliberate placement of food - which includes manipulation of crops for migratory birds - for attracting or habituating animals to a specific location for the purpose of hunting. Feeding is placement of food to attract animals to view them, or simply providing food to help certain animals survive during winter. Feeding is also used by Game and Fish, under special circumstances, to intercept or short-stop deer that are eating livestock feed supplies.

The functional difference between baiting and feeding is irrelevant because both unnaturally draw animals into close proximity.

Many people feed wildlife. The most common practice is backyard bird feeding. Rural residents and members of sportsmen's clubs often put out grain or

hay to give deer or pheasants a little extra help during winter. The Game and Fish Department even has feeders on a few of its wildlife management areas. Other wildlife feeding, such as deer attracted to hay or grain meant for livestock, is unintended.

Intended or not, feeding draws animals to places and in numbers that would not typically occur otherwise. While Game and Fish does not have specific North Dakota data, it is likely that instances of feeding greatly outnumber those of baiting.

Biologists for state and provincial wildlife agencies are reviewing wildlife feeding and baiting for big game hunting, because baiting and feeding are widely recognized as factors that increase the potential for spread of diseases between animals.

For example, if one or more animals harbor an infectious agent, transmission to uninfected individuals is facilitated by the increased frequency of contact that occurs when animals are gathered around a bait site. The Southeastern Cooperative Wildlife Disease Study group, on more than one occasion, identified use of bait during hunting as a significant contributing factor in a disease problem involving wild big game.

Diseases of particular concern are tuberculosis, brucellosis, and possibly chronic wasting disease. It is CWD, a fatal malady of deer and elk that has not yet been detected in North Dakota, that has elevated the concern over baiting and feeding. In 1999, 18 states prohibited use of bait for hunting big game. Currently, 24 states and six provinces do not allow baiting for hunting big game (not including bears), and 10 states and two provinces restrict baiting to some degree.

While disease concerns are primary considerations, they are not the only concerns surrounding baiting. Ethics, especially, is related to this discussion. If potential spread of disease was not a problem, ethics would still generate debate. And it's not a black-and-white debate, either.

What's considered moral and ethical hunting behavior in one state is illegal in others. For example, some southern states allow deer hunters to use dogs to locate and chase deer. This practice is generally prohibited in northern states, due in part to public opinion that use of dogs for hunting deer falls outside the boundaries of fair chase.

Ethics debates often involve apparent inconsistencies. In Minnesota, for instance, hunters can bait bears, but not deer. On the other hand, bear hunting in deep woods is difficult enough even with baiting, and success rates would be extremely low without baiting. Deer hunters are successful enough without baiting.

Wildlife baiting in North Dakota is a worthwhile discussion based on ethics alone. Add the prospect that baiting increases the likelihood of disease transmission in wildlife populations, and science joins ethics as

a significant factor. Following are points of view, From Both Sides, that address wildlife baiting in North Dakota.

ONE SIDE

- In some situations, baiting is an effective harvest technique for some species.
- Baiting may increase success rates for hunters during primitive firearm or archery seasons.
- Baiting can provide economic returns for bait suppliers and manufacturers of wildlife feeders.
- Hunting near bait may improve safety in some hunting situations, primarily wooded areas and areas with high hunter density.
- Baiting can provide commercial hunting operations with a more efficient means of attracting game for their clients.
- In localized populations, some animals that might otherwise perish may be carried through the winter because of supplemental feeding resulting from baiting.
- Baiting may be the only way to efficiently harvest certain animals, such as black bear.

THE OTHER SIDE

- Concentrations of animals around bait sites can facilitate the spread of diseases such as chronic wasting disease, tuberculosis, brucellosis, and others.
- Deer lose their wild character when they depend on food placed in bait piles, so they may have less chance of surviving winter after the hunting season ends and bait is no longer provided.
- Baiting can alter animal movement patterns and attract them to places where they cannot survive unusually harsh winter conditions after baiting stops.
- Baiting can attract big game animals to land that is inaccessible to hunting by the general public. This affects harvest objectives and hunter success rates, and can lead to overpopulation of game in local areas.
- Baiting can create competitive situations among adjoining landowners or hunters, and may lead to situations on public land where one hunter will attempt to preempt the hunting rights of another.
- Baiting can lead to artificially high deer and elk numbers, resulting in localized destruction of browse and other natural food sources.
- Animals feeding at bait stations can attract and concentrate predators.
- Animals attracted to bait stations can raise human health and safety concerns. For example, attracting deer to feed near busy roadways can lead to car-deer collisions. Deer carcasses in ditches can attract

unwanted animals such as skunks and coyotes to areas near residential homes.

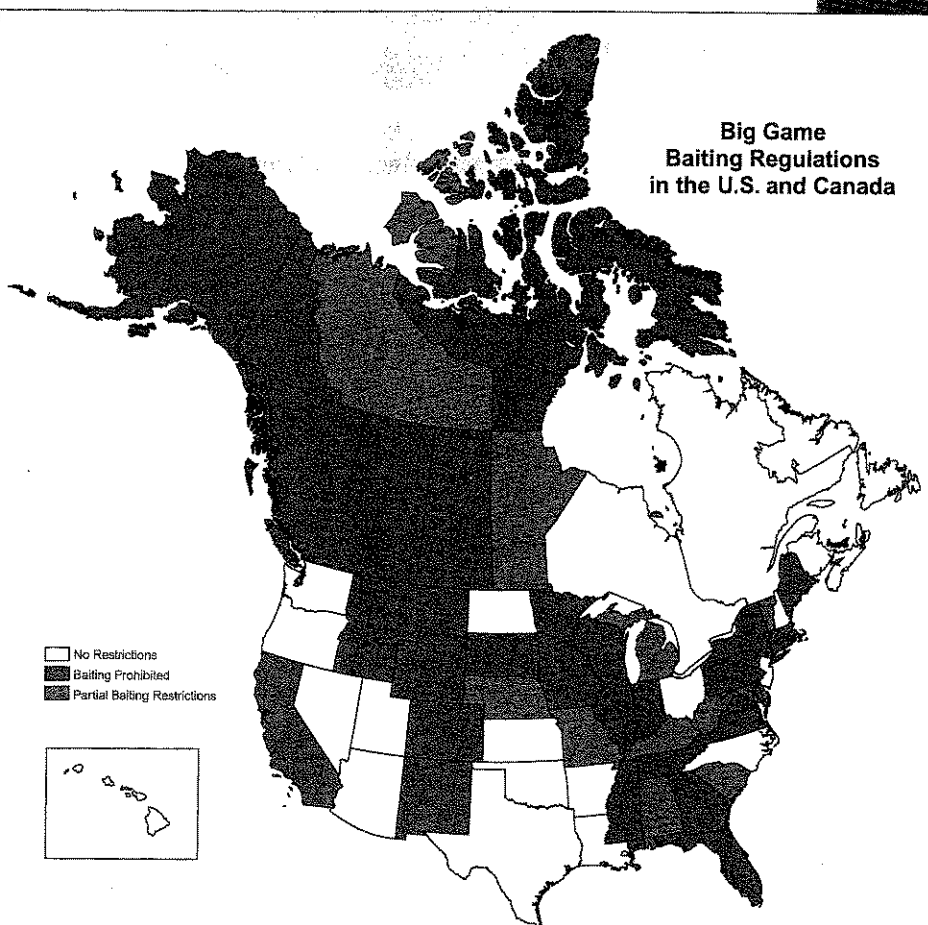
- Improper bait that is too high in starches and sugars can kill some animals. Some bait mixes are prone to developing molds and fungi that produce toxins that can cause lameness, reduced reproductive performance and even death in a variety of birds and mammals.
- Bait such as ditch hay or grain screenings can contain seeds that spread noxious weeds.
- Practices that the general public perceives as inappropriate, such as baiting in some places, can erode public support for hunting in general.

As you can see, baiting is a multifaceted issue and involves consequences other than just attracting an animal to a stand or blind. A decision on whether to regulate baiting must take into account the magnitude of the problem in relation to intentional and unintentional feeding of wildlife, its potential to get worse, and numerous other social and political issues.

What Do You Think?

To pass along your thoughts, send us an email at ndgf@state.nd.us; call us at 701-328-6300; or write North Dakota Game and Fish Department, 100 N. Bismarck Expressway, Bismarck, ND 58501.

**Big Game
Baiting Regulations
in the U.S. and Canada**



CWD Baiting & Feeding Bills – Current Status

September 24, 2003

Emergency Rule Currently in Effect as of September 11:

Summary:

1. No baiting and feeding within any CWD zone
2. No baiting and feeding within any county in which a positively identified CWD case or TB case has been found
3. No baiting and feeding within any county within 10 miles of county, which a positively identified CWD or TB case has been found.
4. Counties that are in effect total 23, including: Sheboygan (to be added later this week), Manitowoc, and Calumet.
5. Counties not under full ban allowed to bait and feed up to ten gallons per day

Status of Rule: Will remain in effect for 150 days from Sept. 11, or until legislature passes and Governor signs bill to create new policy on baiting and feeding.

Senate Bill 256 & LRB 3235/1 (Assembly Version):

Summary: Reflects the Aug. 19 JCRAR compromise

1. Baiting allowed statewide outside of CWD zones. 2 gallons per day per site, no more than 2 sites per 40 acres
2. Feeding allowed north of Hwy 54. 2 gallons per day – within 50 yards of an owner-occupied residence.

Status of Bill: JCRAR approved introduction at Sept. 16 meeting by a vote of 6-4 (Leibham voting no. Bill will be introduced and referred to standing committees, likely Senate Committee on Natural Resources and the Environment and the Assembly Committee on Natural Resources. Bill will follow traditional legislative process.

Gunderson Bill–Assembly Substitute Amendment to Assembly Bill 519:

Summary:

1. No baiting and feeding within any CWD zone
2. No baiting and feeding within any county in which a positively identified CWD case or TB case has been found.
3. No baiting and feeding within any county within 10 miles of county which a positively identified CWD or TB case has been found.
4. Counties that are in effect total 23, including: Sheboygan (to be added later this week), Manitowoc, and Calumet.
5. Counties not under full ban allowed to bait and feed:
 - Baiting: 2 gallons per site, 2 sites per 40 acres
 - Feeding: 2 gallons per site, the site is within 50 yards of an owner-occupied residence, and not less than 100 yards from a roadway with a posted speed limit of 45 mph or more
6. DNR can immediately implement ban in any county that identifies new case of CWD or TB, along with any county within 10 miles of any newly "banned" county

Status of Bill: Bill passed the State Assembly Tuesday, September 23, 2003 by a vote of 84-15. Bill will likely be referred to the Senate Committee on Natural Resources and the Environment this week.

CWD Baiting & Feeding Bills – Current Status

October 15, 2003

Emergency Rule Currently in Effect as of September 11:

Summary:

1. No baiting and feeding within any CWD zone
2. No baiting and feeding within any county in which a positively identified CWD case or TB case has been found
3. No baiting and feeding within any county within 10 miles from the location at which a positively identified CWD or TB case has been found.
4. Counties that are in effect total 23, including: Sheboygan (to be added later this week), Manitowoc, and Calumet.
5. Counties not under full ban allowed to bait and feed up to ten gallons per day

Status of Rule: Will remain in effect for 150 days from Sept. 11, or until legislature passes and Governor signs bill to create new policy on baiting and feeding.

Senate Bill 256 & LRB 3235/1 (Assembly Version):

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Status of Bill: JCRAR approved introduction at Sept. 16 meeting by a vote of 6-4 (Leibham voting no. Bill will be introduced and referred to standing committees, likely Senate Committee on Natural Resources and the Environment and the Assembly Committee on Natural Resources. Bill will follow traditional legislative process.

Gunderson Bill–Assembly Substitute Amendment to Assembly Bill 519:

Summary:

1. No baiting and feeding within any CWD zone
2. No baiting and feeding within any county in which a positively identified CWD case or TB case has been found.
3. No baiting and feeding within any county within 10 miles from the location at which a positively identified CWD or TB case has been found.
4. Counties that are in effect total 23, including: Sheboygan (to be added later this week), Manitowoc, and Calumet.
5. Counties not under full ban allowed to bait and feed:
 - Baiting: 2 gallons per site, 2 sites per 40 acres
 - Feeding: 2 gallons per site, the site is within 50 yards of an owner-occupied residence, and not less than 100 yards from a roadway with a posted speed limit of 45 mph or more
6. DNR can immediately implement ban in any county that identifies new case of CWD or TB, along with any county within 10 miles of any newly "banned" county

Status of Bill: Bill passed the State Assembly Tuesday, September 23, 2003 by a vote of 84-15. Bill will likely be referred to the Senate Committee on Natural Resources and the Environment this week.

CWD Baiting & Feeding Bills – Current Status

October 29, 2003

Emergency Rule Currently in Effect as of September 11:

Summary:

1. No baiting and feeding within any CWD zone
2. No baiting and feeding within any county in which a positively identified CWD case or TB case has been found
3. No baiting and feeding within any county within 10 miles from the location at which a positively identified CWD or TB case has been found.
4. Counties that are in effect total 23, including: Sheboygan (to be added later this week), Manitowoc, and Calumet.
5. Counties not under full ban allowed to bait and feed up to ten gallons per day

Status of Rule: Will remain in effect for 150 days from Sept. 11, or until legislature passes and Governor signs bill to create new policy on baiting and feeding.

Senate Bill 259 & Assembly Bill 535:

Summary: Reflects the Aug. 19 JCRAR compromise

1. Baiting allowed statewide outside of CWD zones. 2 gallons per day per site, no more than 2 sites per 40 acres
2. Feeding allowed north of Hwy 54. 2 gallons per day – within 50 yards of an owner-occupied residence.

Status of Bill: JCRAR approved introduction at Sept. 16 meeting by a vote of 6-4 (Leibham voting no). Bill will be introduced and referred to standing committees, likely Senate Committee on Natural Resources and the Environment and the Assembly Committee on Natural Resources. Bill will follow traditional legislative process.

Gunderson Bill–Assembly Substitute Amendment to Assembly Bill 519:

Summary:

1. No baiting and feeding within any CWD zone
2. No baiting and feeding within any county in which a positively identified CWD case or TB case has been found.
3. No baiting and feeding within any county within 10 miles from the location at which a positively identified CWD or TB case has been found.
4. Counties that are in effect total 23, including: Sheboygan (to be added later this week), Manitowoc, and Calumet.
5. Counties not under full ban allowed to bait and feed:
 - Baiting: 2 gallons per site, 2 sites per 40 acres
 - Feeding: 2 gallons per site, the site is within 50 yards of an owner-occupied residence, and not less than 100 yards from a roadway with a posted speed limit of 45 mph or more
6. DNR can immediately implement ban in any county that identifies new case of CWD or TB, along with any county within 10 miles of any newly "banned" county

Status of Bill: Bill passed the State Assembly Tuesday, September 23, 2003 by a vote of 84-15. The Senate Committee on Natural Resources and the Environment passed AB 519 with an amendment.



COUNTIES BANNED FROM BAITING AND FEEDING UNDER CURRENT EMERGENCY RULE

 = Affected County

NOTE: UNDER ASSEMBLY BILL 519, AS AMENDED BY THE SENATE COMMITTEE ON NATURAL RESOURCES AND THE ENVIRONMENT, THE FOLLOWING COUNTIES WILL NO LONGER BE UNDER A BAITING AND FEEDING BAN:

Sheboygan, Manitowoc, Calumet, Portage, Waushara, Waukesha, Racine, and Jefferson

Questions – Please Contact Senator Leibham:

State Capitol: P.O. Box 7882 • Madison, WI 53707-7882
 (608) 266-2056 • Toll-Free: (888) 295-8750 • Fax: (608) 267-6796 • E-Mail: Sen.L Leibham@legis.state.wi.us
 9th District: 3618 River Ridge Drive • Sheboygan, WI 53083 • Phone: (920) 457-7367

**Counties that have enacted or considering a ban on baiting and feeding
Per Larry Bonde (23 counties total)**

Manitowoc
Outagamie
Winnebago
Walworth
Calumet
Grant
Marinette
Columbia
Jackson
Sheboygan
Crawford
Richland
Sauk
Lafayette
St. Croix
Oneida
Juneau
Wood
Monroe
Portage
Marquette
Dane
Iowa



P.O. Box 7882
MADISON, WI 53707-7882
(608) 266-2056

P.O. Box 8952
MADISON, WI 53708-8952
(608) 264-8486

**JOINT COMMITTEE FOR
REVIEW OF ADMINISTRATIVE RULES**

Bill Introduction Motion Form

September 16, 2003
300 Northeast
State Capitol

Moved by GROTHMAN, Seconded by GUNDERSON

THAT, pursuant to s. 227.19(5)(e), stats., the Joint Committee for Review of Administrative Rules introduces LRB 3153 and LRB 3154.

- SERATTI AMENDMENT

COMMITTEE MEMBER	Aye	No	Absent
1. Senator LEIBHAM	✓		
2. Senator WELCH			
3. Senator LAZICH	✓		
4. Senator ROBSON	✓		
5. Senator LASSA	✓		
6. Representative GROTHMAN	✓		
7. Representative SERATTI	✓		
8. Representative GUNDERSON	✓		
9. Representative HEBL			
10. Representative BLACK	✓		
Totals			

☐ Motion Carried

☐ Motion Failed

William

NATURAL RESOURCES BOARD

AGENDA

For meeting at Madison, Wisconsin
DNR State Natural Resources Building (GEF 2)
101 South Webster Street, Room 774B

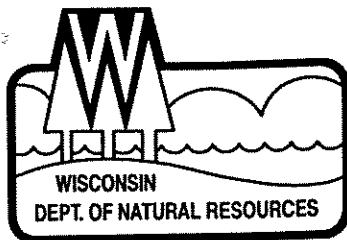
September 8, 2003 - 10:00 a.m.
Via Teleconference

NOTICE IS GIVEN that the Natural Resources Board will convene as a Full Board via teleconference at 10:00 a.m. on Monday, September 8, 2003, in Room 774B of the State Natural Resources Building (GEF 2), Madison, for action on Item 1.

NOTICE IS FURTHER GIVEN that matters concerning natural resource issues or the Department's program responsibilities or operations specified in the Wisconsin Statutes, which are not on the agenda, may be acted upon if the Natural Resources Board determines it is urgent to act. Such matters may be raised as the result of discussions under scheduled agenda items.

ORDER OF BUSINESS

1. Adoption of Emergency Order WM-37-03(E) - revision of Chapters NR 10 and NR 19, Wis. Adm. Code, pertaining to the regulation of deer feeding and baiting in counties considered at highest risk for the spread of chronic wasting disease and bovine tuberculosis.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

NOTICE

NOTICE IS HEREBY GIVEN that The Natural Resources Board will convene at 10:00 a.m. by teleconference on Monday, September 8, 2003, in Room 774B of the state Natural Resources Building (GEF 2), 101 South Webster Street, Madison, Wisconsin.

NOTICE IS FURTHER GIVEN that the Board will take action on one item relating to Adoption of Emergency Rule Order WM-37-03(E) - revision of Chapters NR 10 and NR 19, Wis. Adm. Code, pertaining to the regulation of deer feeding and baiting in counties considered at highest risk for the spread of chronic wasting disease and bovine tuberculosis.

For further information, please contact William Smith, Acting Deputy Secretary of the Department of Natural Resources, at (608) 266-2121.

SUBJECT: Adoption of Emergency Order WM-37-03(E) - revision of Chapters NR 10 and NR 19, Wis. Adm. Code, pertaining to the regulation of deer feeding and baiting in counties considered at highest risk for the spread of chronic wasting disease and bovine tuberculosis.

FOR: SEPT. 8, 2003 **BOARD MEETING**

TO BE PRESENTED BY: Tom Hauge

SUMMARY:

As a result of the decision by the Joint Committee for the Review of Administrative Rules (JCRAR), which was to object to the Natural Resources Board recommended statewide ban on deer baiting and feeding, the department has determined that a stop-gap measure is necessary to reduce the risk of disease transmittance in the areas where CWD and TB have been identified. The department realizes the risk with allowing these practices to continue, especially in those areas of higher risk for disease transmission and is recommending adoption of an emergency rule. This emergency rule would help to protect the wild deer herd and domestic livestock from additional exposure to infected animals, and to assist the department with their disease control efforts. The department requests that the Board adopt an emergency rule (WM-37-03(E)) that would eliminate the practices of deer baiting and feeding in those areas of the state where CWD and TB have been identified, since the opportunity to prohibit these activities statewide is no longer available.

RECOMMENDATION: Board adoption of WM-37-03(E), an emergency rule that would prohibit deer baiting and feeding in areas determined to be at the highest risk for disease transmittance and establishment.

LIST OF ATTACHED MATERIALS:

No	<input checked="" type="checkbox"/>	Fiscal Estimate Required	Yes	<input type="checkbox"/>	Attached
No	<input type="checkbox"/>	Environmental Assessment or Impact Statement Required	Yes	<input checked="" type="checkbox"/>	Attached
No	<input type="checkbox"/>	Background Memo	Yes	<input checked="" type="checkbox"/>	Attached

APPROVED:

Tom Hauge
Bureau Director, Thomas M. Hauge (KAT)

Laurie Osterndorf
Administrator, Laurie Osterndorf

Scott Hassett
Secretary, Scott Hassett

Sept. 4, 2003
Date

9-5-03
Date

9/5/03
Date

cc: Linda Jahns - AD/5
Scott Hassett - AD/5 - 3 copies
Laurie Osterndorf - AD/5
Tom Hauge - WM/4
Bill Vander Zouwen - WM/4


Regional Wildlife Sups. - WM/4 - 5
Regional LE Sups - LE/5 - 5
Tom Van Haren - LE/5
Randy Stark - LE/5
Kurt Thiede - WM/4

Conservation Congr. Exec. Comm. - 4
GLIFWIC & Tribes - 14
Carol Turner/Tim Andryk - LS/5 - 2
Regional Directors - 5
Regional Land Leaders - 5

CORRESPONDENCE/MEMORANDUM

DATE: September 4, 2003

TO: Natural Resources Board Members

FROM: Scott Hassett 

SUBJECT: Board adoption of WM-37-03(E), an emergency rule that would prohibit deer baiting and feeding in counties determined to be at the highest risk for CWD, TB and infectious disease transmittance and establishment.

On August 29, 2003 the Natural Resources Board responded to the Joint Committee for the Review of Administrative Rules (JCRAR) motions pertaining to rule order WM-09-03, which would have established a statewide ban on deer baiting and feeding (Appendix A). The board voted to adopt the first motion, a 10 month sunset relating to the proposed ban, but respectfully declined to incorporate additional modifications that would have compromised the effectiveness of the rule to prevent the spread and establishment of CWD, bovine tuberculosis (TB) and other infectious diseases. Finally, the Board requested that the JCRAR reconsider their motion to suspend the rule if all motions were not accepted and incorporated. However, the JCRAR did not reconsider their previous position and as a result, as of 5 p.m. August 29, the rule to prohibit baiting and feeding was officially objected to by the JCRAR. The rule was suspended thereby leaving no provisions for regulating feeding and allowing 10 gallons of bait statewide.

The department realizes the risk with allowing these practices to continue, especially in those areas where CWD and TB have been identified. As a result of the recent JCRAR rule suspension, the department and Board are faced with no other choice but to adopt an emergency rule, which would as a stop-gap measure to protect the wild deer herd and domestic livestock from additional exposure to infected animals, and to assist the department with their disease control efforts. Therefore, the department requests that the Board adopt an emergency rule (WM-37-03(E)) that would eliminate the practices of deer baiting and feeding in those areas of the state that the department has identified as being at the greatest risk for CWD or TB, since the opportunity to prohibit these activities statewide is no longer available. Simply put, we have been given no other option as a result of legislative action, than to ban these potentially harmful practices in the areas where known cases of CWD (or TB which has more potential to impact our domestic beef and dairy industry) have been confirmed, whether in captive or free-roaming, domestic or wild animals.

Although we realize that the risk of disease transmission and establishment exists statewide, we feel this emergency rule will protect those areas of the state where we know that disease exists and the surrounding areas during the upcoming 2003 deer season.

Background:

In April 2003, the NRB adopted rule order WM-09-03 that called for a statewide prohibition on deer baiting and feeding in order to prevent the spread of CWD and to help insure that the disease would not become established in other parts of the state.

In May 2003, the Assembly Natural Resources and Senate Environment and Natural Resources Committees voted to modify the department's proposal by allowing 2 gallons of bait and limited feeding in areas where CWD positive animals (captive or wild) have been discovered. In June 2003, the NRB voted against modifying the original rule order. Upon receipt of the DNR Board decision, the Assembly

On August 19, 2003 the JCRAR passed three motions on Clearinghouse Rule 03-017 (WM-09-03) which establishes a prohibition on deer baiting and feeding (Appendix B). On August 29 the Board respectfully declined modification of these rule changes, based on the best current science and advice from disease experts from across North America and within the state of Wisconsin.

The first motion requested a June 30, 2004 end date for rule provisions on deer baiting and feeding.

A multiyear, statewide ban on baiting and feeding deer provides the best protection from the possible spread, establishment and persistence of CWD, tuberculosis and other transmissible diseases that could negatively impact the state's deer herd. However, a 10-month statewide prohibition, as offered by the JCRAR was preferred over having no prohibition in place. Given this choice, the department recommended that the Board accept the first modification requested by the JCRAR.

After considering the potential long-term impacts of CWD the department recommended that the Board respectfully decline to make the second modification to the rule. The reasons for this recommendation did not change from when other Legislative committees proposed similar compromises in May. Baiting and feeding concentrates deer and risks transmission of this and other significant transmissible diseases such as TB, and is not in the best interest of the deer herd or the citizens and hunters of Wisconsin. The recent discovery of a CWD positive deer in Walworth County shows that surveillance efforts are not sufficient to guarantee detection of all cases of CWD. The numerous escapes from deer farms throughout the state demonstrate that real disease risks are present statewide.

Finally, we recommended that the Board request that JCRAR reconsider this motion that will suspend the proposed rule. Instead, we recommend that JCRAR allow the modified rule (with the 10-month prohibition) to go forward.

The Natural Resources Board and the department have a leadership responsibility for Wisconsin's natural resources. We accept the scientific community's assessment that the risk of disease transmission associated with baiting and feeding is very real. The disease impacts to our state outweigh the inconvenience to hunters and wildlife watchers. We regret the real and painful economic losses to those small businesses that sell deer bait and feed. However, we must base our decision on what we believe is best for all of Wisconsin. A ban on deer baiting and feeding will reduce the risk of transmitting CWD, tuberculosis and other diseases in Wisconsin's deer population. The ban not only reduces the frequency of close contact among individual deer and different family groups of deer, but also reduces the potential for disease contaminated food sites.

Rule Proposal:

Under this emergency rule, the department would be seeking the authority to impose the same baiting and feeding regulations adopted by the Board in April 2003 on a smaller geographic area. In addition, since this is an emergency rule, the authority to regulate baiting and feeding would lapse after 150 days unless extensions are sought and granted. Regardless of the length of time that the emergency rule shall remain effect, statutorily, the department's legislative authority to regulate feeding of wildlife lapses after June 30, 2004. However, it is the department's intent to seek the allowed two additional extensions that would allow the ban to remain in effect until mid-June.

The areas where the ban would be in effect include any county where the entire county or any portion of the county is included in a CWD Management Zone (CWD eradication zone, CWD intensive harvest zone or herd reduction zone) or any county within a 10-mile radius of a captive or free-roaming, domestic or wild animal that has been confirmed to have CWD or TB since January 1, 1998 (Figure 1).

This description identifies the current known areas of risk in Wisconsin. In addition to CWD, Bovine TB has been added to the potential diseases of risk, since current research would suggest that this disease poses the most potential risk to Wisconsin's agriculture industry.

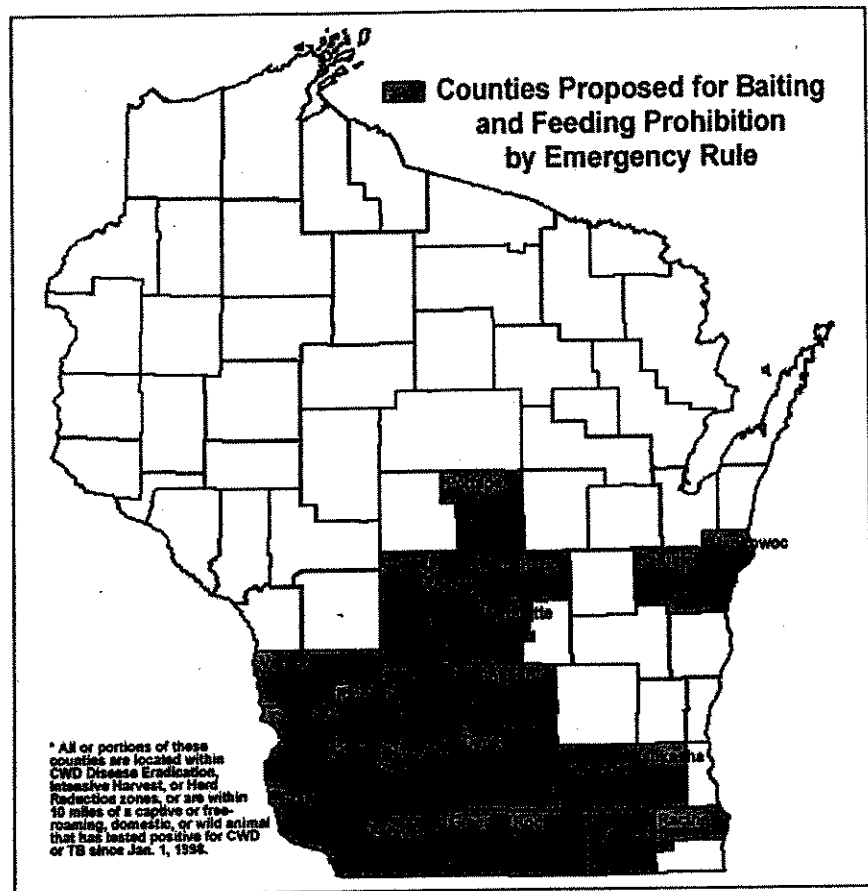


Figure 1. Proposed counties included in a baiting and feeding ban.

Although this description is fairly well explanatory, the inclusion of counties within a 10-mile radius may need further clarification. The 10-mile radius was chosen as it is believed to be a conservative estimate of the distance a deer is likely to travel based on research in the Midwest. Although longer dispersals have been noted, 10 miles actually encompasses an average dispersal distance.

The reason entire counties have been chosen, is for ease of application and understanding. Since this rule affects hunters and non-hunters alike, county boundaries are the logical choice as a majority of people are more familiar with county boundaries than the alternatives of deer management unit boundaries or township boundaries. In addition, there are a number of counties, such as Manitowoc County that have enacted or are considering enacting a county ordinance that prohibits the feeding of deer.

In addition to the prohibitions on baiting and feeding, this rule clarifies that the existing regulations pertaining to baiting (s. NR10.07(1)(g)) would remain in effect in the counties not included in the ban.

Initial Regulatory Flexibility Analysis:

The proposed revisions to NR Chs. 10 and 19 Wis. Adm. Code, pertain to the rules relating to the control and eventual eradication of Chronic Wasting Disease from the state's deer herd and impose no compliance or reporting requirements for small businesses, nor are there any design or operational standards contained within the proposed rule. However, these rules, will have an indirect impact on small

businesses as the sale of feeding materials, which may have a significant economic impact on a number of small businesses.

In accordance with s. 227.114, Stats., the department has considered the possible implications of these rules on small business, however under the authority of s. 227.114(3), Stats., any modification of the rules pertaining to baiting and feeding would undermine the effectiveness of the rule. In addition, the department has weighed the economic impact of a potential collapse of the deer herd, which is an increased risk under continued baiting and feeding, to the state of Wisconsin against the economic burden that is placed on feed mills in the state with the baiting and feeding ban.

Many small businesses are highly dependent on sales of corn and other supplements to those that bait and feed deer and would certainly experience economic losses with any prohibition of baiting and feeding. While no studies have been conducted to date to determine the economic impact of bait and feed sales for deer in Wisconsin, estimates have been made in neighboring states. In Michigan for instance, the total estimated economic impact of both baiting and feeding exceeds \$50 million.

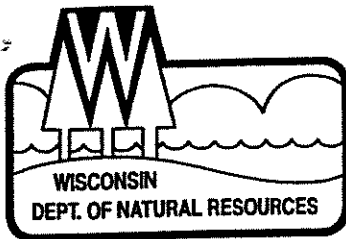
In addition there are potential economic impacts to farmers who sell deer corn. Agricultural industry spokes persons have indicated that the prohibition of baiting and feeding would have the effect of forcing export from Wisconsin of three million bushels of corn annually with a profitability loss of \$0.50/bu. Despite their strong economic interest in the alternative market that deer feeding provides for agricultural products (cull potatoes, carrots, apples, sugar beets, etc.), the Farm Bureaus in both Michigan (in 1999 and 2002) and Wisconsin (in 2002) have endorsed prohibitions on deer feeding. Their primary concern is protecting the health of agricultural animals from deer-borne diseases.

However, when you compare the economic benefits that a healthy deer herd brings to the state of Wisconsin, the economic impacts on small business and farmers are much less. Deer are one of the favorite wild animals in Wisconsin. In addition to deer hunting, which in 2001 alone generated over \$925 million, an estimated 2.4 million people participated in wildlife watching activities in Wisconsin in 2001 contributing approximately \$1.3 billion to the state's economy (IAFWA 2001). A separate estimate of economic impact specific to out-state tourists was not made.

The department has considered alternatives, but these alternatives are not feasible, and would be contrary to the statutory objective of disease control and eradication and in light of the significant economic impact deer watching and hunting has to the state of Wisconsin by way of tourism, quality of life and recreation the department feels both economically and ultimately biologically a ban on deer feeding and baiting is in the best interest of Wisconsin.

Environmental Analysis:

An Environmental Impact Statement has been prepared to address impacts of the proposed rule and describe alternatives considered. The document underwent a public review process and the Bureau of Integrated Science Services has prepared a record of decision.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Scott Hassett, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY 608-267-6897

August 29, 2003

Honorable Joseph Leibham, Chair
Joint Committee for Review of Administrative Rules
Room 409 South
State Capitol

Honorable Glenn Grothman, Chair
Joint Committee for Review of Administrative Rules
Room 15 North
State Capitol

Re: Clearinghouse Rule No. 03-017
Regulation of baiting and feeding to control and manage chronic wasting disease

Gentlemen:

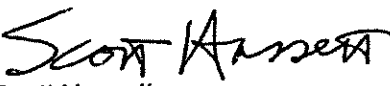
On August 20, 2003, the Joint Committee for Review of Administrative Rules requested the Department of Natural Resources to modify Clearinghouse Rule No. 03-017 relating to baiting and feeding of wild animals. At a meeting today, the Natural Resources Board adopted the modification that the rule will not apply after June 30, 2004.

The Natural Resources Board declined to make any further modifications to the proposed rule. Baiting and feeding concentrates deer and risks transmission of this and other significant transmissible diseases and it is not in the best interest of the deer herd or the citizens and hunters of Wisconsin.

The Natural Resources Board requests that the Joint Committee for Review of Administrative Rules reconsider its motion to object to the proposed rule and allow the Department to proceed with promulgation.

Under s. 227.19(5)(b)2., Stats., the Department of Natural Resources refers this action to your Committee for an additional 10 working day review. A copy of the proposed rule incorporating the modifications adopted by the Natural Resources Board is attached.

Sincerely,


Scott Hassett
Secretary

cc: Tom Hauge - WM/4
Kurt Thiede - WM/4
Tim Andryk - LSL/5
Carol Turner - LS/5

Attach.



P.O. Box 7882
MADISON, WI 53707-7882
(608) 266-2056

P.O. Box 8952
MADISON, WI 53708-8952
(608) 264-8486

**JOINT COMMITTEE FOR
REVIEW OF ADMINISTRATIVE RULES**

RECEIVED

AUG 21 2003

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**OFFICE OF THE
SECRETARY**

August 20, 2003

Scott Hassett, Secretary
Department of Natural Resources
101 South Webster Street
P.O. Box 7921
Madison, WI 53707-7921

Dear Secretary Hassett:

The Joint Committee for the Review of Administrative Rules met in Executive Session on August 19, 2003 and adopted the following motions:

NR 302 Relating to the Management of Wisconsin's Wild Rivers.
Pursuant to s. 227.24(2)(d) and 227.19(4)(d)(5&6), stats, the Joint Committee for Review of Administrative Rules suspends NR 302(5)(a)(b).

Clearinghouse Rule 03-017 Relating to the regulation of baiting and feeding to control and manage chronic wasting disease. The Joint Committee for Review of Administrative Rules moved:

1. Pursuant to s. 227.19 (5) (b) 2., Stats., the Joint Committee for Review of Administrative Rules recommends that the Department of Natural Resources (DNR) modify Clearinghouse Rule 03-017 by providing that the rule will not apply after June 30, 2004.
2. Pursuant to s. 227.19 (5) (b) 2., Stats., the Joint Committee for Review of Administrative Rules recommends that DNR modify Clearinghouse Rule 03-017 by providing that:
 - a. Baiting for the purpose of hunting deer be allowed only when all of the following conditions have been met:
 - (1) Baiting occurs during an open season for hunting deer.
 - (2) Baiting occurs outside of a chronic wasting disease eradication zone, a chronic wasting disease management zone, or an intensive harvest zone.
 - (3) No more than two gallons of bait are spread daily by a scattering method or a broadcast method at no more than two sites in a 40 acre parcel. The two gallon limit is a daily limit at both sites so that no more than four gallons may be spread in a 40 acre parcel.

6

- b. Feeding for the purpose of viewing deer be allowed only when all of the following conditions have been met:
- (1) Feeding occurs north of state highway 54.
 - (2) Feeding occurs outside of a chronic wasting disease eradication zone, a chronic wasting disease management zone, or an intensive harvest zone.
 - (3) No more than two gallons of feed are spread daily by a scattering method or a broadcast method within 50 yards of an owner occupied residence.
3. If DNR fails to indicate in writing, by 5:00 on Friday, August 29, 2003, that the it will make the recommended modifications described in Motions 1 and 2, then, pursuant to s. 227.19 (4) (d) 5. and 6. and (5), Stats., the Joint Committee for Review of Administrative Rules objects to Clearinghouse Rule 03-017.

Pursuant to s. 227.24(2)(c) Stats, we are notifying the Secretary of State and the Revisor of Statutes of the Committee's action through copies of this letter.

Sincerely,



Senator Joseph Leibham
Senate Co-Chair



Representative Glenn Grothman
Assembly Co-Chair

JKL:GSG:pvs

Fiscal Estimate — 2003 Session

<input checked="" type="checkbox"/> Original	<input checked="" type="checkbox"/> Updated	LRB Number	Amendment Number if Applicable
<input type="checkbox"/> Corrected	<input type="checkbox"/> Supplemental	Bill Number	Administrative Rule Number WM-37-03(E)

Subject
Prohibition on deer Baiting and Feeding relating to the control of Chronic Wasting Disease in Wisconsin

Fiscal Effect

State: ☒ No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- | | |
|--|---|
| <input type="checkbox"/> Increase Existing Appropriation | <input type="checkbox"/> Increase Existing Revenues |
| <input type="checkbox"/> Decrease Existing Appropriation | <input type="checkbox"/> Decrease Existing Revenues |
| <input type="checkbox"/> Create New Appropriation | |

- ☒ Increase Costs — May be possible to absorb within agency's budget.
☒ Yes ☐ No
- ☐ Decrease Costs

Local: ☒ No Local Government Costs

1. ☐ Increase Costs
☐ Permissive ☐ Mandatory
2. ☐ Decrease Costs
☐ Permissive ☐ Mandatory

3. ☐ Increase Revenues
☐ Permissive ☐ Mandatory
4. ☐ Decrease Revenues
☐ Permissive ☐ Mandatory

5. Types of Local Governmental Units Affected:
☐ Towns ☐ Villages ☐ Cities
☐ Counties ☐ Others
☐ School Districts ☐ WTCS Districts

Fund Sources Affected

- ☐ GPR ☐ FED ☐ PRO ☐ PRS ☐ SEG ☐ SEG-S

Affected Chapter 20 Appropriations


Assumptions Used in Arriving at Fiscal Estimate

This emergency rule (WM-37-03(E)) would ban deer baiting and feeding in counties of highest risk for CWD, TB and other infectious disease spread and establishment for the 2003 deer hunting seasons and beyond, until the rule expires. The rule also clarifies that baiting (10 gallons) is allowed in counties not affected by this rule nor is feeding prohibited.

It is not anticipated that the implementation of these rules will result in a fiscal impact above what could be absorbed within the agency's budget. The enforcement of these rules will be done as part of the regular duties of conservation wardens. However, there will be a workload impact, as enforcement of these regulations will likely result in the inability to enforce other resource laws, since the current budget will not allow the addition of seasonal wardens to assist in the enforcement of these new regulations.

Long-Range Fiscal Implications

None

Prepared By: Joseph Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature 	Telephone No. 266-2794	Date (mm/dd/ccyy) 09-04-03

Fiscal Estimate Worksheet — 2003 Session
Detailed Estimate of Annual Fiscal Effect

☒ Original ☒ Updated
☐ Corrected ☐ Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number WM-37-03(E)


Subject
Prohibition on deer Baiting and Feeding relating to the control of Chronic Wasting Disease in Wisconsin

One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):
None

Annualized Costs:		Annualized Fiscal Impact on State Funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations — Salaries and Fringes		\$ 0	\$ - 0
(FTE Position Changes)		(0.00 FTE)	(- 0.00 FTE)
State Operations — Other Costs		0	- 0
Local Assistance		0	- 0
Aids to Individuals or Organizations		0	- 0
Total State Costs by Category		\$ 0	\$ - 0
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$ 0	\$ - 0
FED		0	- 0
PRO/PRS		0	- 0
SEG/SEG-S		0	- 0
State Revenues		Increased Revenue	Decreased Revenue
GPR Taxes		\$	\$ -
GPR Earned			-
FED			-
PRO/PRS			-
SEG/SEG-S			-
Total State Revenues		\$	\$ -

Net Annualized Fiscal Impact

	State	Local
Net Change in Costs	\$ 0	\$ 0
Net Change in Revenues	\$ 0	\$ 0

Prepared By:	Telephone No.	Agency
Joe Polasek	266-2794	Department of Natural Resources
Authorized Signature	Telephone No.	Date (mm/dd/ccyy)
	266-2794	09-04-03

NR
10/15

**EMERGENCY RULE
NR 10 and 15**

**RELATING TO THE CONTROL AND
MANAGEMENT OF CHRONIC WASTING
DISEASE**

**JCRAR HEARING
March 27, 2003
10 a.m. – 411 South**

PUTTING CWD IN PERSPECTIVE

"It's not fair to characterize CWD as a deadly, highly contagious disease because it isn't."
Dr. Clarence Sirocki-Wisconsin Division of Animal Health-

"This is a disease that has killed less than 400 deer nation-wide in almost 40 years."
Dr. James Kroll-director of deer research at Stephen F. Austin University-the leading deer disease expert in the United States-both Dr. Kroll's statement and Dr. Sirocki were taken from a show that the Texas Trophy Hunters had on the OUTDOOR CHANNEL that aired in June of 2002.

*70,000 deer died of ANTHRAX in east Texas in 2001-Dr. James Kroll.

*EHD (Epizootic Hemorrhagic Disease) has killed hundreds of thousands of deer since it was identified a number of years ago-in fact in 1976 EHD killed thousands of deer in Nebraska, Wyoming, Kansas, and the Dakotas. In fact over 1000 deer died that year in New Jersey-a relatively small state with fairly low deer densities-and 4000 antelope in Nebraska-Whitetailed Deer Ecology and Management-Published by Stackpole Books - Lowell K. Halls-Editor.

*Dr. Charles Southwick (Univ. of Colorado) notes that records show that deer have exhibited the same CWD symptoms all the way back to the Civil War.

*Scrapie (TSE disease of sheep) has been around for over 250 years. Humans have consumed lamb for at least that long with NO ill side effects. Sheep have been housed with other livestock for at least this many years with again no ill side effects or transmitting a TSE disease to the livestock.

*West Nile was discovered in 1999 -as of Nov. 1, 2002 there have been 3300 cases reported of humans contracting West Nile with 193 deaths attributed to this sickness from Arrowtrade Magazine -Nov. issue 2002.

*"CWD is not an end of the world disease-this should not be a disease of PANIC."
"Depopulation is not the answer."-Dr. James Jensen Texas A+M College of Veterinary Medicine.

THEORIES ON CWD

1. COPPER THEORY- A lack of copper in an animals diet will allow it to be more susceptible to any of the TSE diseases-this absence of copper in the diet can be as a result of low copper soil concentrations or as a result of certain other minerals in the environment such as Manganese and/or Cadmium that inhibit an animals ability to utilize copper. Protein prions need copper to remain normal and non-infective! This theory was first introduced by Mark Purdy in the United Kingdom. After the large outbreak of Mad Cow disease in England, Purdy started researching where the outbreak came from. He identified a number of things-

1. Soils in the UK are very low in copper -he even took this a step further and was able to show that in Iceland, Slovakia, and Colorado the levels of copper in the soils there were also low which might explain the higher incidence of Scrapie, CJD, and CWD in those areas.

2. Farmers were forced by the English government to pour an organophosphate insecticide on the backs of their cattle to control warble flies. This organophosphate inhibited the animals ability to utilize copper for normal bodily functions.

Dr. Michael McDonnell-Nebraska-split 3 groups of elk in a penned situation-he put the 3 groups on 3 different diets

Group 1 -no copper in the diet

Group 2-copper sulfate in the diet at levels less than sufficient

Group 3-this group received the recommended daily allowance for copper

Dr. McDonnell then introduced all 3 groups into a CWD environment-the group that had no copper in their diet had 25-55% of the animals contract CWD-Group 2 had 5-7.5% contract CWD-GROUP 3 HAD NO ANIMALS TEST POSITIVE FOR CWD.

"Copper has been shown to stop the development of Abnormal Prions and to unfold Abnormal Prions early in their development"-Dr. Michael McDonnell-Nebraska.

Dr. Thomas Swerczak-Univ. of Kentucky has proved that Cadmium can inhibit an animal's ability to utilize copper-

In the CWD endemic areas of Colorado, Wyoming and Mt. Horeb, WI, Cadmium levels in the soils are very high due to the mining that used to go on in these areas.

* Is CWD really transmissible?-many of the researchers that believe that lack of copper in the diet causes TSE's believe that soil deficiencies can make it seem like these diseases are transmitted but are really do to the lack of copper in the diet.

*It was thought that the practice of feeding rendered animal byproducts back to dairy cows caused the mad cow disease in Europe in the 1980's. As a result, the practice of feeding rendered animals back to dairy and beef cattle was outlawed in Europe in 1988. Presumably this would stop mad cow disease, but in 1998 alone there were over 3000 cases of mad cow in the UK. Researchers now are agreeing that there is something more to the puzzle and the copper theory continues to gain acceptance.

2. GENETIC THEORY

Scientists have identified a dominant gene in sheep that will not allow the sheep to contract SCRAPIE - so through selective breeding of Rams and Ewes, Scrapie can be bred out of the sheep population within a number of years. It appears that elk also have this dominant gene. Dr. O'Rourke at the Univ. of Washington is currently conducting the genetic research on deer to see if they possess a gene that will not allow them to contract CWD.

If CWD is a genetic disease, it would certainly explain why it suddenly is found in certain areas and also somewhat contained in certain areas as deer do not disperse to far from the area where they were born.

3. BACTERIA THEORY

Frank Bastain of Tulane Univ. has stated that he believes that a gnat or fly bites a deer and transmits a spiroplasma bacteria into the deer and the bacteria causes certain prions to go awry and in turn start tearing holes in the brain tissue. Incidentally EHD and BLUE TONGUE are 2 of the most widespread deer diseases and they are both spread by a blood sucking gnat. Bastain injected spiroplasma bacteria into rodents and found that it induced spongiform encephalopathy in the brains of the rodents, just like we see in CWD infected deer.

WISCONSIN'S CWD TIMELINE

Feb. 2002-3 bucks test positive for CWD in Mt. Horeb.

March 2002- Public informational session at Mt. Horeb High School-Julie Langenberg and other DNR personnel state that they do not know how CWD got here or how it is transmitted- simply stated, they said there are a lot more questions than answers as this disease has been around for almost 40 years and little more is known about it today than what was known 40 years ago.

April 2002- Wisconsin Deer and Turkey Expo at the Alliant Center-I asked DNR personnel at their booth if it was known if CWD was transmitted orally or through nose to nose contact-they promptly stated that there is no proof that it is transmitted through nose to nose contact or orally.

May 2002 -DNR has a series of 6 informational meetings held throughout the state-I attend the one held in Eau Claire-3 DNR personnel give power point presentations including Julie Langenberg-all three show a picture of several deer around a dumptruck load of corn with the montra "IT'S A NO-BRAINER FEEDING AND BAITING SPREADS THIS DISEASE" -at the end of their presentations, the public could ask questions. I asked the 3 presenters to please use caution when making the statement that feeding spreads this disease as no one knows how this disease is spread-I barely got this out of my mouth when the moderator stated in a Gestapo like fashion to "either ask a question or sit down"-I did then ask these "experts" if they had ever heard of EHD or Blue Tongue-They stated they had not-I found it interesting that EHD and Blue Tongue are the 2 most popular and wide spread deer diseases known to mankind yet our "experts" were not aware of either -my point was that these 2 diseases are caused by a blood sucking gnat and that CWD may have a similar mode of transmission- The damage had been done by this time. Thousands of sportsmen had attended these series of meetings and had heard these people who are paid by us taxpayers spin their agenda to outlaw feeding deer. The media also heard it and they were off to the races.

June 2002-emergency rule enacted to outlaw feeding and baiting of deer statewide-
DNR PERSONNEL CONTINUE TO HUNT OVER BAIT IN THE ERADICATION ZONE

82 year old Mervin Lindeloff of 7825 Staples Ave. of Iron River, WI, is warned by his local DNR warden that he can no longer feed birds and deer unless the feed is put in a feeder 8 feet off the ground-at 82 years old Mr. Lindeloff cannot climb a ladder and as a result he is forced to give up his love of feeding and watching wildlife-making for a long winter.

September 2002- Then Secretary Bazzel sends out a 6 page document to all sanitary landfill managers in the state. He had to put to rest the fears of these managers that it would be safe to landfill deer carcasses as they were afraid that the prion may leach downward into the groundwater and spread CWD or may leach upward and a deer drinking from a pool of water may obtain the prion in that manner. In the document, Bazzel cites a study done by Dr. Brown and Dr. Gajdusek (1991) in which they conclude that for TSE diseases, the ORAL ROUTE IS THE LEAST LIKELY METHOD OF TRANSMISSION.

November 2002- DNR wants to test 500 deer in each county or management zone to determine the spread of CWD. In Black River Falls, they plug up the drain where they are testing and they call a local septic pumping company who eventually pumps the brain material into a truck then roto roots the drain and pumps the brain material down the drain which goes into the Black River Falls Waste Water Treatment Plant and then is pumped into the Black River. Scientists claim that the abnormal prion involved in CWD will withstand temperatures of up to 900 degrees -if they believed as they claimed, that the disease is spread orally, they certainly would have not pumped this potential CWD prion into the Black River and allow it to travel into the Mississippi and other streams.

Jan. 2003- Now the DNR allows baiting for ALL hunters in the Eradication zone. The Green Bay Press Gazette announces that the DNR has spent 11.5 million on testing deer for CWD that amounts to \$209,000 per positive deer.

March 2003- Several folks in the Clam Lake area notice increased truck traffic going behind a locked gate in the National Forest in Northern Wisconsin. This is in an area where the DNR has let out elk several years ago. After walking a long distance behind this locked gate they come upon a number of feed piles outside and inside an enclosure where the elk were contained prior to being let out in the National Forest a number of years ago. These people take still pictures and video that they give to a Duluth TV station and they do a program on the DNR feeding the elk in the National Forest.

WISCONSIN HAS ALMOST 100,000 LESS SPORTSMEN PURCHASING LICENSES DUE TO THE HYSTERIA OF CWD

IN 2002 ,COLORADO SET A NEW RECORD WITH 430,000 HUNTING PERMITS SOLD INCLUDING A NEW 1 DAY RECORD SALE OF 11,653 PERMITS SOLD ON August 20,2002-Nov. 2002 Arrowtrade magazine

DHFS Human Health Monitoring.

Currently, there is no scientific evidence that CWD poses a risk to human health. However, there are aspects of prion transmission that remain unknown, and no one can guarantee that absolutely no risk exists regarding human consumption of animals that have CWD. The Department of Health and Family Services (DHFS) has been working closely with the DNR to help provide hunters and venison consumers with information about potential human risks and ways to minimize those risks that is accurate, current and understandable so that prospective hunters may make informed decisions.

The DHFS is implementing a surveillance program for Creutzfeldt-Jakob Disease (CJD) in humans. CJD is a prion disease in humans caused by a prion distinct from the one that causes CWD. Clinical criteria are being developed for detecting and reporting cases of human prion disease. Funding has been obtained through a grant from the U.S. Centers for Disease Control to ensure that Wisconsin has the capacity to perform autopsies on people suspected of being infected with prion disease, to educate physicians, hospitals, and laboratories on the need to report cases of prion disease, and to investigate unusual clusters or occurrences of illnesses that could suggest some novel source for the acquisition of CJD or CJD-like illnesses.

University Involvement.

The Wisconsin Veterinary Diagnostic Lab (WVDL) made facilities available for sample collection during the spring surveillance period and began the certification process in spring 2002 to obtain United States Department of Agriculture (USDA) authorization to run the immunohistochemistry (IHC) tests and rapid assays for CWD detection in Wisconsin. Currently, the WVDL is processing over 34,000 brain and lymph node samples collected from deer around the state. These data are being added to the DNR database weekly.

The University of Wisconsin (UW) provided resources to assist with peer review of CWD management plans, computer modeling, CWD genetics, and deer movement and behavior research, and public outreach and education activities. They assembled a panel of UW experts to review the CWD management plans that were being proposed. An individual-based, spatially explicit model was developed at the UW that predicted the likely results from using different management approaches to control and eradicate CWD. This model was used as one of the tools to assist in the selection of a strategy for controlling the disease. Currently, UW research projects investigating genetic disease resistance and genetic strain typing of CWD prions and dispersal and social behavior of deer are ongoing. UW staff facilitated town meetings with the public and provided numerous educational activities regarding CWD.

Tribal Issues and Involvement.

In 1983, the 7th Circuit Court of Appeals determined that the Wisconsin Bands of Ojibwa Indians (referred to hereafter as Chippewa Tribes) retained their rights to hunt, fish, and gather living natural resources, including the right to hunt deer, by the Treaties of 1837 and 1842. These rights apply to public lands within the ceded territories of northern Wisconsin, and include all or parts of 63 deer management units

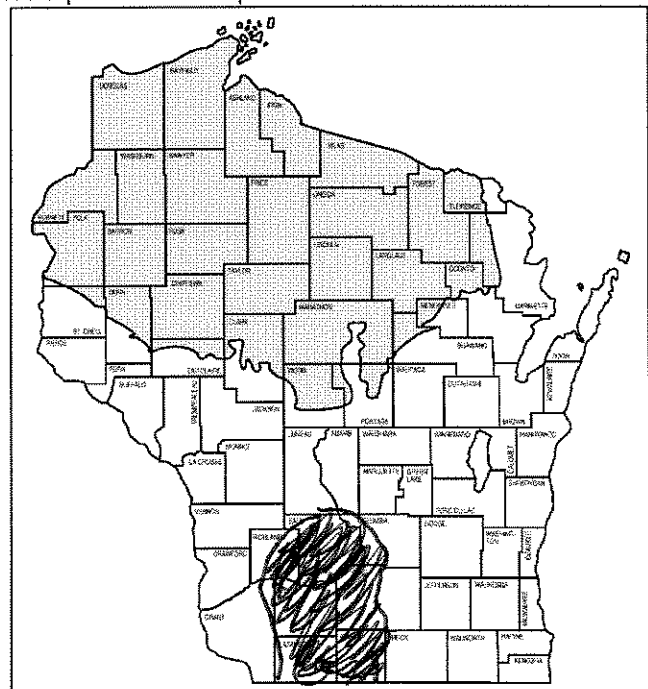
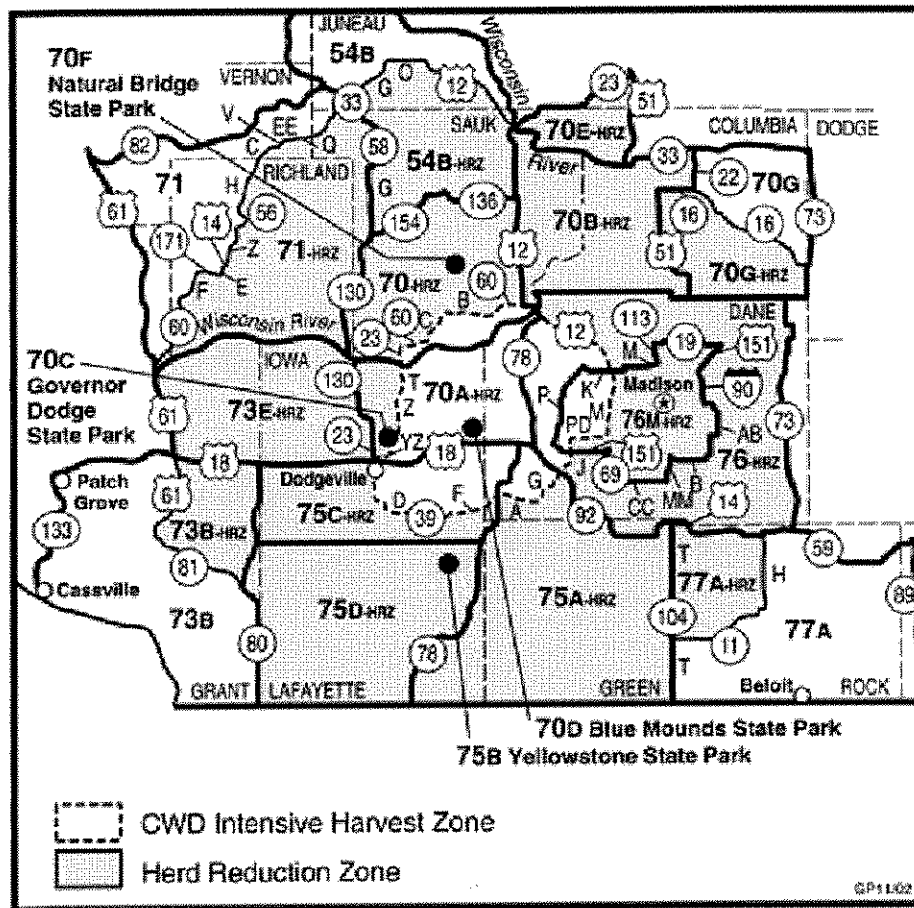


Figure 5. Ceded territories (shaded) of Wisconsin.

Section 31. NR 10.28(3) is created to read.

NR 10.28(3) CWD HERD REDUCTION AND INTENSIVE HARVEST ZONES.



Section 32. NR 10.41 is created to read.

NR 10.41 **Wildlife disease management.** (1) **PURPOSE.** Pursuant to s. 29.063(1), Stats., the natural resources board establishes this section to provide guidelines for the department to manage chronic disease in wild cervids in this state.

(2) **STATE PARKS AND OTHER CLOSED AREAS.** State parks, refuges and closed areas identified in chs. NR 11, 15 and 45 may be opened to hunting by rule order to assist in the control of CWD.

(3) **CWD ERADICATION ZONE.** The department may establish an eradication zone, pursuant to the criteria established in s. NR 10.001(6p)

(a) *Overwinter goal.* The eradication zone shall have an overwinter deer population goal of 0 deer per mi² of deer range.

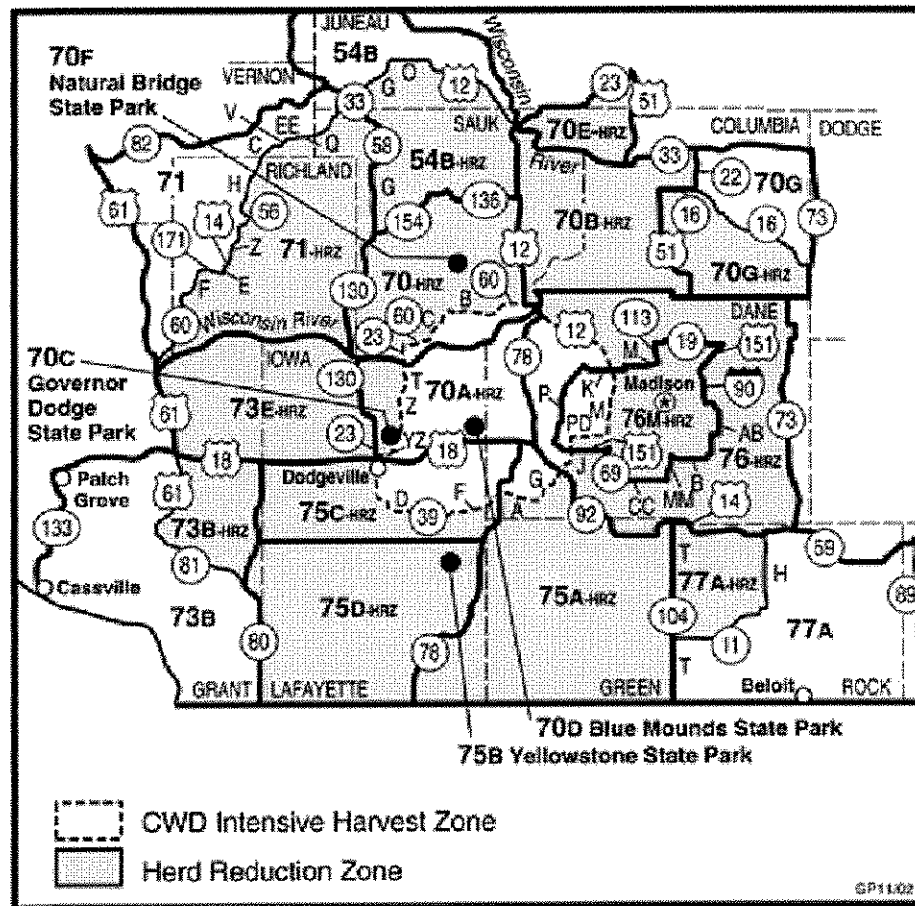
(b) *Population estimation.* The department shall annually calculate an estimate of the overwinter deer population for this zone with information obtained by surveys which may include registration data and aerial surveys.

(4) **CWD MANAGEMENT ZONES.** Under the authority of s. 227.24, Stats., the department may establish special CWD management zones through emergency rule around areas where CWD positive cervids have been identified.

(a) *CWD intensive harvest zone.* 1. Units or portions of units located within the boundaries of the CWD intensive harvest zone established in s. NR 10.28(3) will be managed at a goal of less than 10 deer per mi² of deer range.

Section 31. NR 10.28(3) is created to read.

NR 10.28(3) CWD HERD REDUCTION AND INTENSIVE HARVEST ZONES.



Section 32. NR 10.41 is created to read.

NR 10.41 **Wildlife disease management.** (1) **PURPOSE.** Pursuant to s. 29.063(1), Stats., the natural resources board establishes this section to provide guidelines for the department to manage chronic disease in wild cervids in this state.

(2) **STATE PARKS AND OTHER CLOSED AREAS.** State parks, refuges and closed areas identified in chs. NR 11, 15 and 45 may be opened to hunting by rule order to assist in the control of CWD.

(3) **CWD ERADICATION ZONE.** The department may establish an eradication zone, pursuant to the criteria established in s. NR 10.001(6p)

(a) *Overwinter goal.* The eradication zone shall have an overwinter deer population goal of 0 deer per mi² of deer range.

(b) *Population estimation.* The department shall annually calculate an estimate of the overwinter deer population for this zone with information obtained by surveys which may include registration data and aerial surveys.

(4) **CWD MANAGEMENT ZONES.** Under the authority of s. 227.24, Stats., the department may establish special CWD management zones through emergency rule around areas where CWD positive cervids have been identified.

(a) *CWD intensive harvest zone.* 1. Units or portions of units located within the boundaries of the CWD intensive harvest zone established in s. NR 10.28(3) will be managed at a goal of less than 10 deer per mi² of deer range.

The emergency rules require all cervid farms that move live animals off the farm to be enrolled in the CWD monitoring program. Monitoring for CWD in captive herds relies on testing animals that die, are harvested, or otherwise removed from the herds over several years. Provisions of the CWD monitoring program are:

- All cervids one-year old and older must have individual official identification.
- The owner must submit an annual herd census, records of animals moved off the farm or added to the farm, records of all deaths, and the CWD test results of those deaths, to account for all of the animals in the herd from year to year.
- All cervids that die or are killed for any reason and are at least 16 months old must be tested for CWD.
- A veterinarian must provide an annual letter about the CWD status of the herd.

Those herds that do not move any live animals off the farm are required to test any animals that are 16 months or older that die for any reason if the carcass or parts of the carcass leave the farm. This includes CWD testing of animals harvested by hunting if any part of the animal will leave the farm (including antlers or hides). It also includes any animals harvested where any meat will leave the farm. If the carcass must be removed from the property for disposal (e.g., burial) the animal must be tested for CWD.

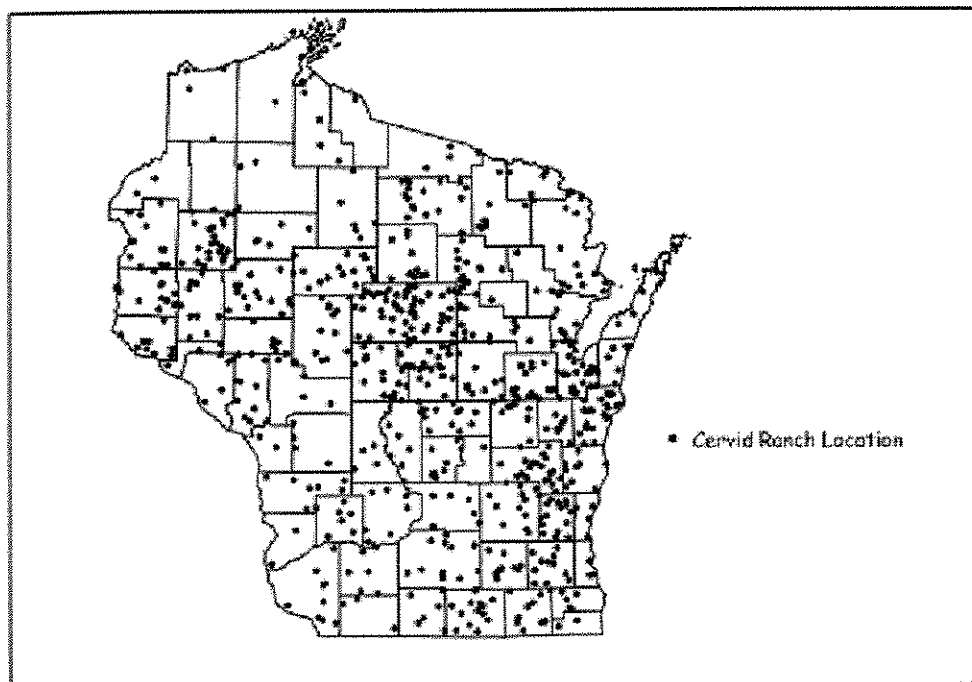


Figure 4. Location of all Licensed Captive Cervid Facilities in 2000.

In fall 2002, CWD was detected on two game farms, one in Portage County and one in Walworth County. These farms plus several others who traded deer with the affected farms were placed under quarantine. At this time, work is progressing to depopulate three captive farms.

In December 2002, DATCP Board approved a set of permanent rules that were similar to the emergency rules adopted in the spring. The permanent rules were strengthened by requiring owners of farm-raised deer to report all escapes within 48 hours and to notify a certified veterinarian within 24 hours of observing any signs or symptoms of CWD. The permanent rules further required that every farm-raised deer over 16 months of age that dies on the herd premises be tested for CWD.

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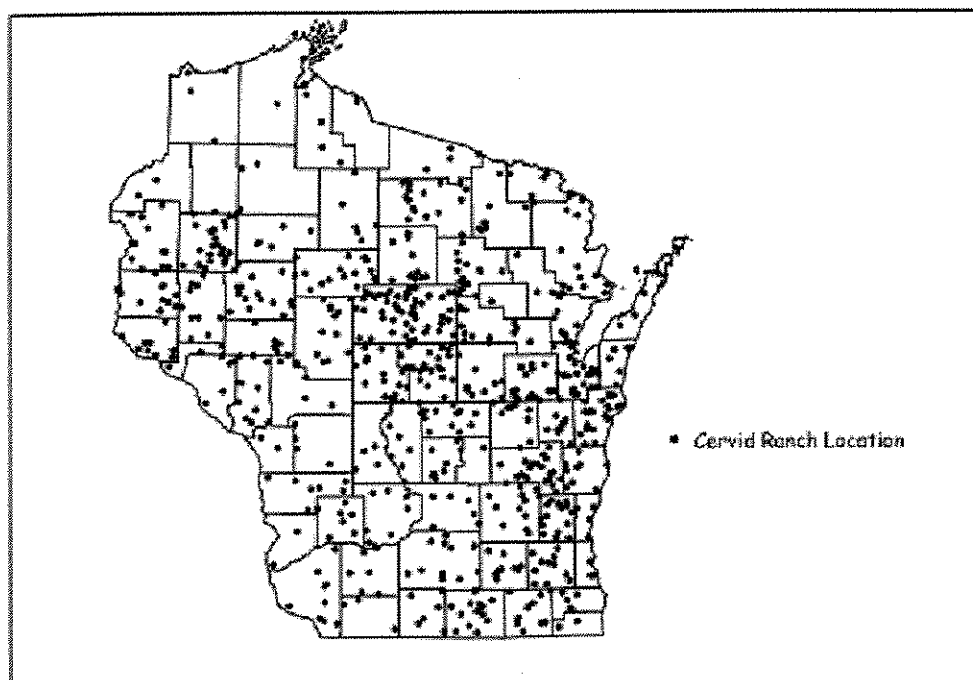


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DHFS Human Health Monitoring.

Currently, there is no scientific evidence that CWD poses a risk to human health. However, there are aspects of prion transmission that remain unknown, and no one can guarantee that absolutely no risk exists regarding human consumption of animals that have CWD. The Department of Health and Family Services (DHFS) has been working closely with the DNR to help provide hunters and venison consumers with information about potential human risks and ways to minimize those risks that is accurate, current and understandable so that prospective hunters may make informed decisions.

The DHFS is implementing a surveillance program for Creutzfeldt-Jakob Disease (CJD) in humans. CJD is a prion disease in humans caused by a prion distinct from the one that causes CWD. Clinical criteria are being developed for detecting and reporting cases of human prion disease. Funding has been obtained through a grant from the U.S. Centers for Disease Control to ensure that Wisconsin has the capacity to perform autopsies on people suspected of being infected with prion disease, to educate physicians, hospitals, and laboratories on the need to report cases of prion disease, and to investigate unusual clusters or occurrences of illnesses that could suggest some novel source for the acquisition of CJD or CJD-like illnesses.

University Involvement.

The Wisconsin Veterinary Diagnostic Lab (WVDL) made facilities available for sample collection during the spring surveillance period and began the certification process in spring 2002 to obtain United States Department of Agriculture (USDA) authorization to run the immunohistochemistry (IHC) tests and rapid assays for CWD detection in Wisconsin. Currently, the WVDL is processing over 34,000 brain and lymph node samples collected from deer around the state. These data are being added to the DNR database weekly.

The University of Wisconsin (UW) provided resources to assist with peer review of CWD management plans, computer modeling, CWD genetics, and deer movement and behavior research, and public outreach and education activities. They assembled a panel of UW experts to review the CWD management plans that were being proposed. An individual-based, spatially explicit model was developed at the UW that predicted the likely results from using different management approaches to control and eradicate CWD. This model was used as one of the tools to assist in the selection of a strategy for controlling the disease. Currently, UW research projects investigating genetic disease resistance and genetic strain typing of CWD prions and dispersal and social behavior of deer are ongoing. UW staff facilitated town meetings with the public and provided numerous educational activities regarding CWD.

Tribal Issues and Involvement.

In 1983, the 7th Circuit Court of Appeals determined that the Wisconsin Bands of Ojibwa Indians (referred to hereafter as Chippewa Tribes) retained their rights to hunt, fish, and gather living natural resources, including the right to hunt deer, by the Treaties of 1837 and 1842. These rights apply to public lands within the ceded territories of northern Wisconsin, and include all or parts of 63 deer management units

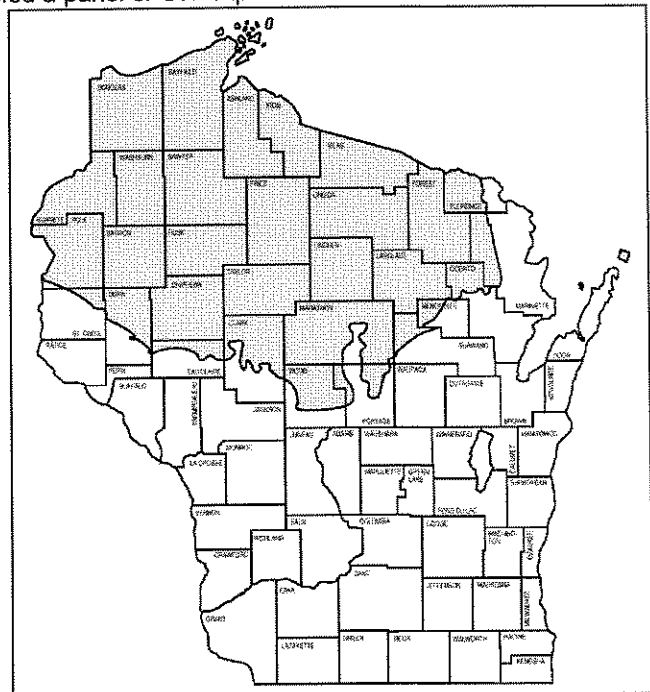


Figure 5. Ceded territories (shaded) of Wisconsin.

Motion

The Joint Committee for Review of Administrative Rules:

1. Extends, pursuant to s. 227.24 (2) (a), Stats., the effective period of emergency rules NR 10 and 15 for a period of 14 days through April 10, 2003.
2. Requests that the Department of Natural Resources amend emergency rules NR 10 and 15 to provide for all of the following:
 - a. A person, north of state highway 10, may not hunt with the aid of more than two gallons of bait within any 40-acre site.
 - b. A person, in order to draw deer or elk for viewing purposes on sites outside of the CWD management zone, may place no more than **two gallons of feed** within 100 yards of a residence owned or leased by that person, except that feed may not be placed within 100 yards of any highway that is posted with a speed limit of at least 45 miles per hour.

II. Deer 2000 Executive Summary Will be provided

III. Study Group Members

Group Leaders: Dave Nowak, Jerry Aulik.

Group Members:

James Barnard, Jason Bitter, Daniel Black, Lance Black, Norm Blohm, Mike Campbell, Willard Cartwright, Fran Cherney, Howard Cook, Jay Cornell, Richard Doersch, Paul Eldridge, Ruel Fleming, Craig Giese, Jim Good, Roger Greenway, Paul Gulan, Steve Hanson, Jon Haag, Chuck Hirtreiter, Verlan Holt, Stu Hunt, Doug Karshbaum, Bob Kissinger, Joel Knoeck, Rick Koenig, Richard Koerner, Larry Kriese, Julie Langenberg, Gary Lemmen, Bob Link, Richard Ludwig, Elmer Miller, Ken Minch, Arold Ninneman, Dave Nolan, Dan Norrgran, Gerald Panka, Richard Peterson, Lee Petrina, John Pliska, Scott Reindell, Rod Robillard, Terri Roehrig, Gary Roehrig, George Rogers, Dave Schmidt, Russell School, Wayne Schroeder, Rich Schuhmacher, Mike Servais, John Smith, John Srueth, Tom VandenElzen, Ron Weber, Bobbie Webster (recorder), Dick Wellskop, Bob White, Allen Wright, Gregory Wysocki.

DNR Liaisons: Steve Miller, Dave Evenson, Dave Zeug.

Other Participants: Steve Silverberg (facilitator 2/26), Representative DuWayne Johnsrud 2/26.

IV. Map of Related Issues

Disease, Public Perception and Education/Ethics, Season Framework, Forestry and Agricultural Damage, North/South Differences, Private and Public Lands, Economic Value, Deer/Car Collisions, Enforceability, Herd Size, Logging, Deer Minerals and Supplements, Food Plots/Agricultural Damage, Bird Feeding, Bear Baiting, Herd Size, ATVs and Snowmobiles, Private Land Owner's Rights, Logging/Forestry, Enforceability, Less Wounded Deer Cleaner Kills, Hunter Conflicts/Territory, Wildlife Movement and Patterns.

V. Study Group Focus

To study the impact of feeding and baiting deer in Wisconsin... consider the health of the deer herd, other wildlife and domestic animals, economic benefits, agriculture, ecological habitat, and other social and recreational interests, and make any necessary recommendations.

VI. Summary of Recommendations

We recommend that the following definitions be adopted:

Definition of baiting: The placing of food materials in the out of doors for the purpose of harvesting deer.

Definition of recreational feeding: The placing of food materials in the out of doors for the purpose of viewing or photographing deer.

Definition of supplemental feeding: The placing of food materials in the out of doors for the purpose of sustaining the deer herd.

We recommend the following additions/changes to current law:

Baiting:

- | | |
|----|---|
| 1. | Allow baiting with six-gallon limit per hunting site, with three sites per forty acres or less. Bait shall be spread over a ten-foot by ten-foot area. Baiting season runs from September 1 through the end of deer season. Bait must be placed fifty yards from a dwelling and one hundred yards from a road posted forty five miles per hour or higher. Baiting regulations will be the same on private and public lands. |
| 2. | We recommend that baiting rules adopted will remain constant through all deer seasons |
| 3. | During deer hunting seasons bait cannot be hauled by an ATV or snowmobile on public land except for those roads on official map open to ATV trails from October 1st through the end of deer hunting (2/05). Exception: persons holding a DNR disabled hunting permit. |
| 4. | Substantial increase of fines and one year revocation for violation of baiting regulations |
| 5. | No baiting within 100 yards from hard surface road posted at 45 miles per hour or more |
| 6. | All types of feeders for baiting of deer are illegal |
| 7. | The Feeding and Baiting Group recommends that the DNR continue and intensify monitoring of Wisconsin's wild deer and other sentinel species for TB and other emerging diseases |
| 8. | The baiting and feeding group recommends Department of Agriculture Trade and Consumer Protection (DATCP) and DNR should continue and intensify surveillance and |

control programs for TB and other emerging disease in captive deer and elk. Specifically we encourage:

1.	DATCP to develop a faster more effective system for TB testing, preferably in state
2.	DATCP and DNR to more effectively enforce any farm fencing requirements
3.	DATCP and DNR to consider limiting importation to Wisconsin farms of deer/elk from states/areas with significant type of disease.
9.	We recommend that the DNR distribute a color brochure to all deer hunters that describes and illustrates signs of TB in deer to prevent a population disease problem.
10.	The DNR should have the legal authority to increase control of baiting and feeding in the disease affected area and in a reasonable buffer zone if a significant disease is found in Wisconsin wild deer.
11.	If disease is found we recommend that the Isotope Strontium test be performed to determine where the affected animal came from.
12.	It is illegal to place food, salt, mineral blocks or other products that could be used as an attractant to deer within 50 yards of a dwelling used for occupancy from September first to the end of deer seasons with the exception of bird food that would be 4 feet off ground.
13.	Bait should be spread over a minimum ten-foot by ten-foot area

Recreational Feeding:

1.	We recommend that recreational feeding be allowed from May 1 through August 31, with the same quantity as baiting (six gallons) within one hundred yards of a dwelling or habitable residence, with the exception of an area where the discharge of a firearm is prohibited.
2.	One six-gallon site per dwelling.. One site per forty acres.
3.	No feeding within 100 yards of a county state or federal highway (2/12) or any hard surface road posted at 45 miles per hour or more
4.	Bait should be dispersed in a minimum 10 feet by 10 feet area
5.	Spin cast type feeders or hand spread only. To address disease transmission, feeding sites should be rotated.

A) Supplemental Feeding

1.	The committee recommends that supplemental feeding should be allowed. The allowable amount is three ten-gallon sites per forty acres or less.
2.	Feed must be placed 300 yards from a county, state, or federal highway (2/12) or hard surface road posted at 45 miles per hour or more.
3.	Supplemental feeding should be allowed from the end of deer hunting season through April 30.
4.	The DNR should have the legal authority to increase control of baiting and feeding in a disease affected area and in a reasonable buffer zone if a significant disease is found in Wisconsin wild deer.
5.	Feeding may be done in a 10 feet by 10 feet area of 10 or less gallons
6.	Spin cast type feeders or hand spread only. Feeding sites should be rotated.
7.	Supplemental feed should be 300 yards from road and no feeding within 50 yards of public trails. Public trails on private land are exempt from supplemental feeding regulations.
8.	We recommend that emergency feeding be allowed and be regulated by the D.N.R.

The study group recognizes the wording of substitute amendment to Assembly Bill 225, an Act to create 29.335 of the statute; relating to: feeding deer for purposes other than hunting; and granting rule-making authority.

29.335 Feeding wild animals for non-hunting purposes. The Department shall promulgate rules to regulate the recreational and supplemental feeding of deer for purposes other than hunting.

In this report the baiting and feeding committee has put forth wording that could be used by the D.N.R. in drafting these laws and/or regulation

VII. Details of Recommendations

Current laws:

Baiting Rules:

It is illegal to:

- A. Place, use or hunt over bait contained within or containing metal, paper, plastic, glass, wood (other than hollow stumps) or other non-degradable materials.
- B. Use any bait, liquid or scent for attracting wild animals containing honey, bones, fish, meat, solid animal fat (which includes bacon grease) or parts of animal carcasses.
- C. Place or hunt over baiting material, liquid or scent within 50 yards of any trail, road or campsite used by the public.
- D. Place or hunt over baiting material, liquid or scent during the archery season without possessing a valid unused bear harvest permit or archer deer tag.
- E. Use or hunt over a baited area which contains more than 10 gallons of bait material or liquid scent. Note: you may hunt over bait deposited by natural vegetation or normal agricultural practices.

Feeding Rules:

Currently Wisconsin does not have any rules pertaining to feeding deer.

Baiting

Results from our June questionnaire shows fifty seven percent of people felt baiting should continue.

Emotional prejudices aside, over a year of information and deliberation by the baiting and feeding group, we recommend baiting in a responsible, legal manner continue as another means of hunting deer.

Rationale:	Due to the results of the June 2000 Questionnaire it was decided by a majority vote of the baiting and feeding study group that the practice of baiting deer should continue
Attractants:	We recognize that there are other deer attractants such as powder and liquid scents available today. We feel the usage of attractants is limited, they do not move large amounts of deer and we are addressing it in the process
Baiting-	Biologists of Michigan said baiting doesn't cause disease. Baiting increases the opportunity for stationary shots, less wounding, close in shots for archers, hunter opportunity, gives the handicapped hunter a better chance of seeing and harvesting deer.
Disease	We are concerned about Wisconsin losing its TB free status. "Although Bovine TB was once relatively common in cattle in the U.S., it has historically been very rare in the free ranging wild deer herd. Prior to 1999, only eight wild white-tailed or mule deer had been reported with Bovine TB in North America. Surveillance of Wisconsin's wild deer herd for bovine tuberculosis (TB) was continued in 1999, when 278

hunter-harvested deer were sampled. Lymph nodes collected from the deer throats were submitted to the USDA's National Veterinary Laboratory, who generously donated the histopathology TB screening tests. ALL TESTS WERE NEGATIVE; NO EVIDENCE OF TB WAS FOUND. Since 1995, a number of Wisconsin deer have been tested for TB with no positive deer found. Annual surveillance of deer will continue, because of the persistent risk from the uncontrolled TB outbreak in Michigan's deer population, and the repeated identification of TB in captive elk herds in Manitowoc County, Wisconsin

Cabin shooting	The 50-yard clause would basically stop archers as the distance is too far for a decent shot. But people could still view deer at a reasonable distance.
Recreational feeding	is a popular and important thing to do for many people and has economic value.
Supplemental feedings	can be helpful for deer and ecology if regulated properly
Emergency feeding:	should be practiced only under DNR guidelines and dire need.
Proximity to highway:	Drivers traveling less than 45 MPH should be able to stop in time.
Proximity to dwelling/cabin	This was to keep all baiting and feeding equal during hunting seasons and keep people from year round feeding to hold deer in their area
Quantity	A large quantity is not needed for viewing purposes and keeps possibility of disease spread down.
Time of year	Supplemental and emergency feeding should occur in the time of year when deer may need help.
Coverage/Dispersal/Feeders	This recommendation would cut down on nose to nose contact and passage of disease through fluid exchange. Feed should be spread, not in troughs to prevent possible spread of disease.

Important supporting information- See literature cited item XIV in this report, starred items had more weight in our recommendations.

Comment on open house and other opinion information-September 1999 open house turn out was low. Questionnaires from the June 2000 open house were over 10,000 with definitive answers received. The baiting and feeding group had eleven questions in the questionnaire. See the survey results on pages 20-22.

A) Our recommendations relative to other Study Groups recommendations-

IX. Addressing the Mission and Purpose Statements

Baiting:

The baiting and feeding study group is a reflection of the state, in that, it is split over the issue of using bait to harvest deer. A small vocal portion of the baiting and feeding committee wants a total ban on baiting. The majority of the group wants bait quantities reduced from the present 10 gallons. A small number of members want the baiting laws unchanged.

The baiting and feeding recommendations are to be implemented statewide.

If baiting is continued at lesser amounts than the present laws allow, hunter conflicts should be lessened. Hunters would be free to bait or not to bait.

Maximizing Safety: Hunter's proximity to bait will allow for a safer shot placement.

Our recommendation in the event that significant disease is detected in Wisconsin's wild deer herd, will give the D.N.R. additional tools to deal with the disease in the affected area and a buffer zone around it.

We recommend that a state lab be set up to test wild and captive animals for disease. This would greatly enhance the testing time period and would be able to show if the tested wild deer came from that area or were shot elsewhere and brought into a different area.

We recommend that ATV's and snowmobiles are banned from hauling deer bait on public land. This should lessen hunter conflict and non-hunter complaints regarding this practice.

We recommend that if baiting is continued quantities per site should be the same on public and private lands. This should reduce the conflict between hunters.

The deer-baiting season runs concurrent with the bow and gun deer seasons.

The group believes that deer baiting in and of itself does not lead to an increase in the deer herd. Urban baiting is a tool to manage deer in overpopulated metro units.

Our final baiting recommendation to all citizens is when baiting violations are observed, the D.N.R. should be notified immediately.

Feeding:

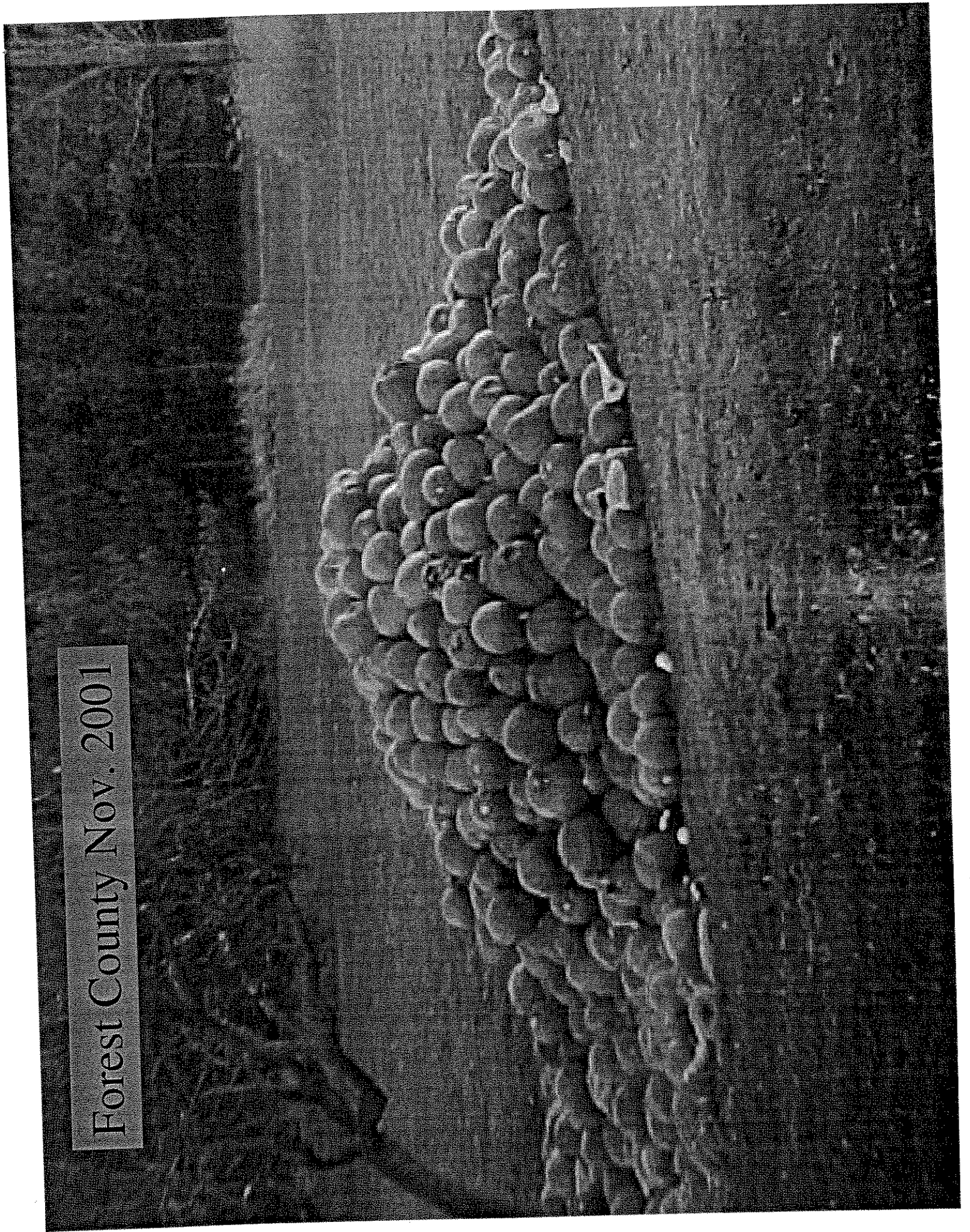
Heretofore, there have not been any regulations pertaining to the feeding of the wild deer herd. Our study group has endorsed substitute Assembly Bill 225, an act to create 29.335 of the statutes relating to feeding deer for purposes other than hunting, and granting rule-making authority to the D.N.R. to promulgate rules to regulate the recreational and supplemental feedings of deer.

The study group has drawn up regulations for both recreational and supplemental feeding wherein the quantities of feed and the placement of said food are closely regulated, as is the time of year when the three types of feeding may be done.

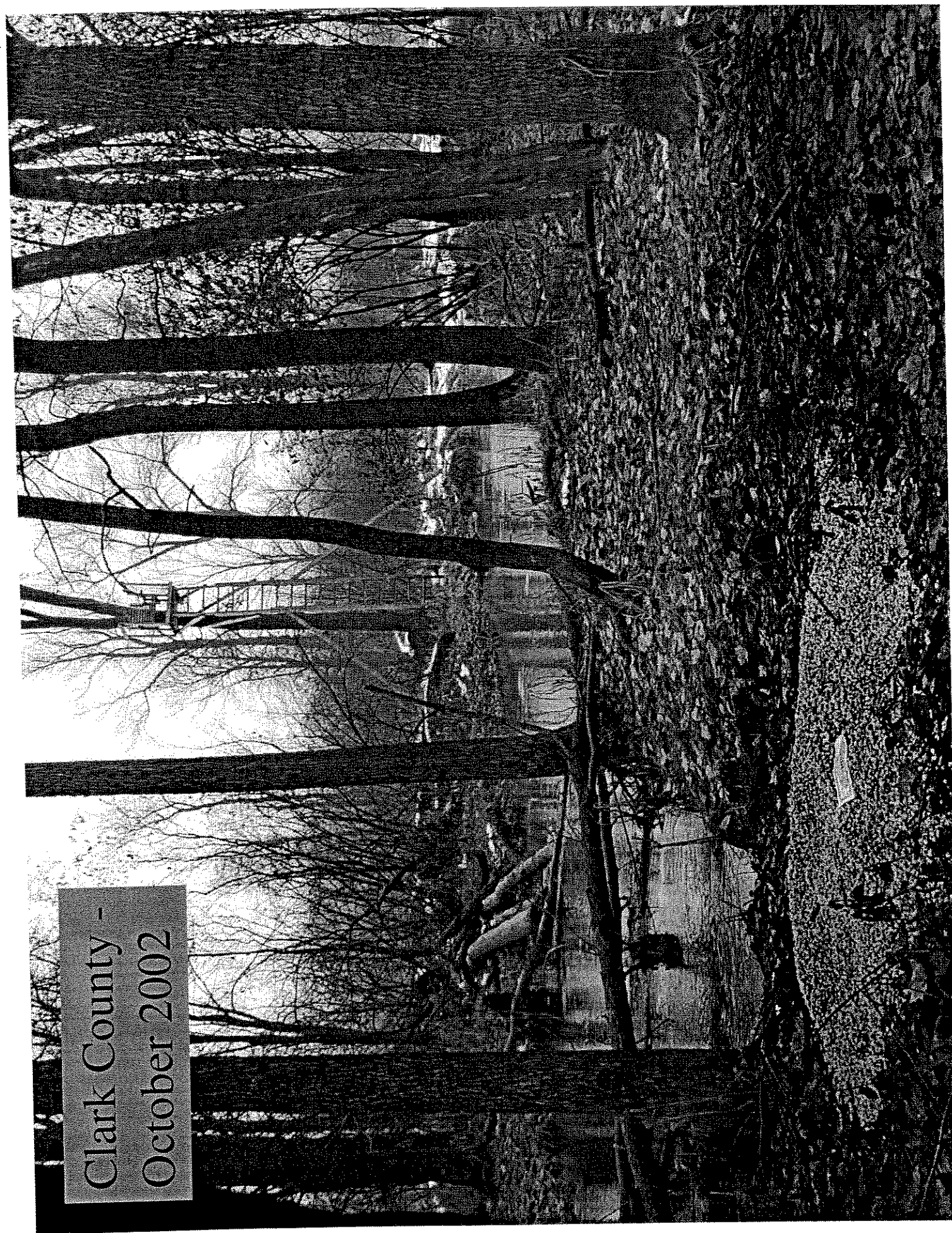
Marquette County - 2001



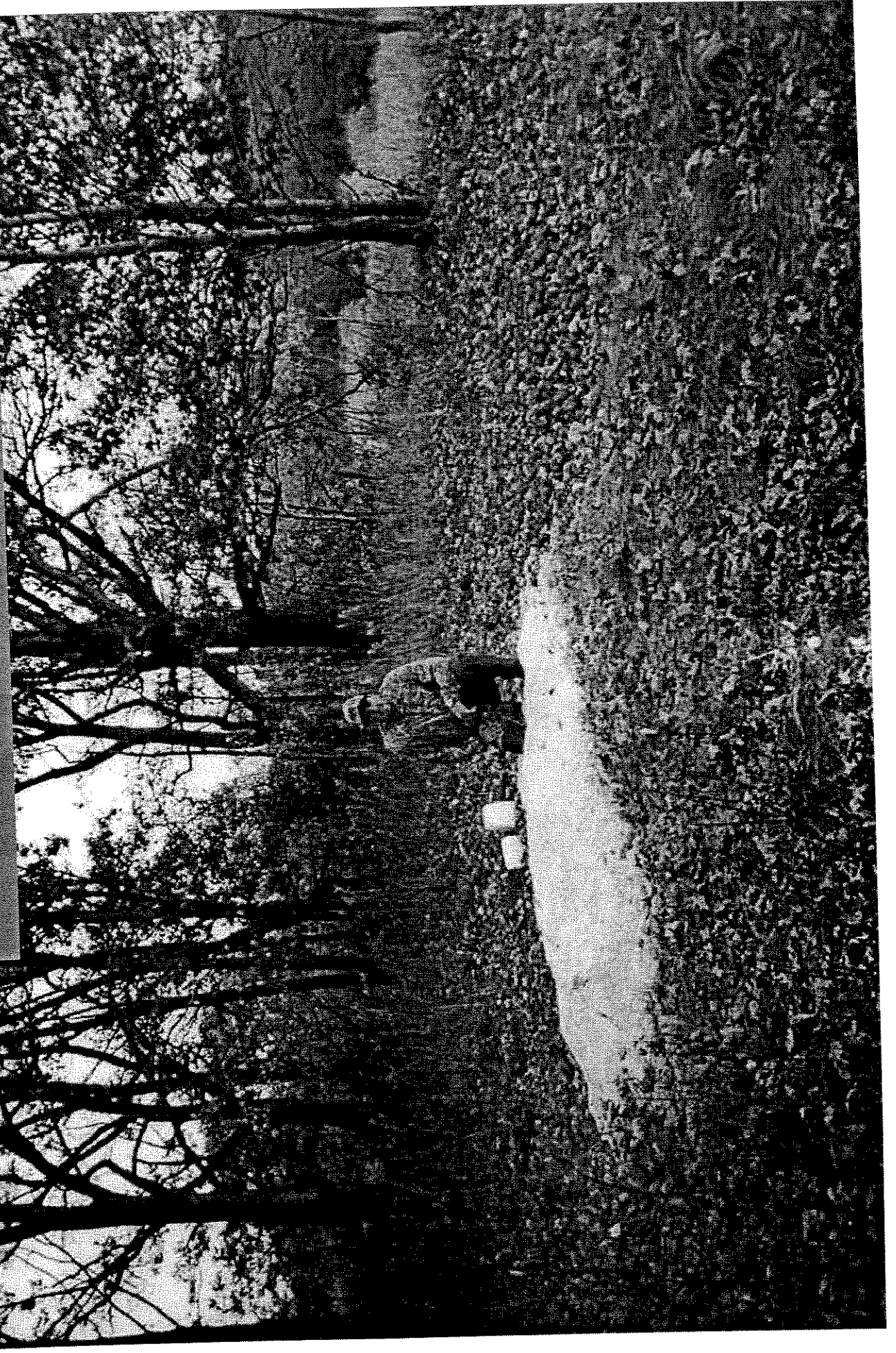
Forest County Nov. 2001



Clark County -
October 2002



Adams County



A black and white photograph of a water tower in a wooded area. The water tower is a tall, cylindrical structure with a smaller, square-shaped top section. It is supported by a lattice of metal poles. The tower is situated in a clearing surrounded by dense trees and foliage. The ground around the tower appears to be a mix of dirt and grass. The overall scene is somewhat dark and grainy, typical of an older photograph.

Adams County

02 10 2

A black and white photograph showing a large, intense fire burning in a field. The fire is bright white and yellow, with thick smoke rising from it. In the foreground, several survey markers are visible, consisting of wooden stakes with small flags or markers attached. The background shows a line of trees and a clear sky. The overall scene suggests a controlled burn or a wildfire in a managed area.

Monroe County - One of numerous on property!

Oconto County - Nov. 2002

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